

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.15883 of 2015

and

M.P.No.1 of 2015

1.P.John
2.Annamma John

... Petitioners

vs

1. The District Collector
Coimbatore
2. The Tahsildar
Perur, Coimbatore District
3. Selvaraj
4. K.A.Abdul Nazar
5. G.Ram Mohan

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records of the second respondent in his reference Na.Ka.1510/A6 and quashing the impugned show cause notice dated 3.2.2015, passed by the second respondent in the subject matter of property.

For Petitioners : Mr.J.Franklin

For Respondents : Mr.S.Pattabiraman
Government Advocate
for RR1 & 2

WEB COPY

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioners challenge the impugned show cause notice dated 3.2.2015, which called upon them to offer their explanation as to why the house site patta granted in respect of the the property viz. vacant land, in Survey No.225/3, should not be cancelled. The

petitioners submitted their detailed response dated 12.3.2015, wherein, they took a stand that patta was issued as early as on 28.12.1992, and that the conditions have been fully complied with. The petitioners now came forward to file this writ petition.

3. Heard the submissions of the learned Counsel appearing for the petitioners, and Mr.S.Pattabiraman, learned Government Advocate, who accepted notice for the respondents 1 and 2.

4. Admittedly, the petitioners have submitted their response to the impugned show cause notice dated 3.2.2015, and however, have filed this writ petition challenging the very same notice itself. Since the explanation has been offered to the show cause notice, this Court is of the view that it would suffice to direct the second respondent to consider the explanation submitted by the petitioners to the impugned show cause notice, and dispose of the same within a stipulated time, after putting on notice, the persons concerned.

5. In the result, the writ petition is disposed of and the second respondent is directed to consider the petitioners' explanation dated 12.3.2015, to the impugned show cause notice dated 3.2.2015, in accordance with law, after putting on notice, the respondents 3 to 5, and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners as well as to the respondents 3 to 5. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The District Collector
Coimbatore
2. The Tahsildar
Perur,
Coimbatore District

+1cc to the Government Pleader, S.R.No.27071

W.P.No.15883 of 2015
and
M.P.No.1 of 2015

CA(CO)
CA(23/06/2015)