

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2782 of 2015

and MP.Nos. 1 and 2 of 2015

1. R.Ganthimathi

2. P.Rajaram

.. Petitioners

Versus

1. The Sub Collector, Thiruvallore.

2. The Tahsildar, Poonamallee Taluk Office
Poonamallee, Thiruvallore District

3. The Revenue Inspector
Avadi, Poonamallee High Road,
Chennai.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records relating to the proceedings in Na. Ka. No. 2672/2014/A4 dated 24.6.2014 and Na. Ka. No. 2672/2014/A4 dated 26.12.2014 issued by the 2nd respondent quash the same.

For Petitioner : Mr. V.Ayyapparaja

For Respondents: Mr.S.Gunasekaran

Government Advocate

सत्यमेव जयते
ORDER

Heard Mr.V.Ayyapparaja, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents and with their consent, the writ petition itself is taken up for disposal at the admission stage.

2. The petitioner was granted a license to carry on business of Pawn Broking under the provision of the Tamil Nadu Pawn Brokers Act, 1943. The license was renewed by proceedings dated 28.3.2014. However, in the impugned proceedings dated 24.6.2014, it is stated that the license granted to the petitioner was cancelled and there is no renewal granted to the petitioner after 2010.

3. Prima facie, this finding is erroneous since there is a proceeding passed by the respondent on 28.3.2014 renewing the petitioner's license for the period 2014 to 2015. That apart, without issuing show cause notice to the petitioner, the respondents have cancelled the petitioner's license. Further more, another proceedings dated 26.12.2014 has been issued by the second respondent after the impugned order dated 24.6.2014. Thus, it appears to be inconsistency order passed by the authority. On that ground alone, the impugned order is quashed and the matter is remitted back to the second respondent. The second respondent is directed to issue show cause notice to the petitioner and after affording personal hearing and after considering the objections pass a reasoned order on merits and in accordance with law.

4. The writ petition is allowed to the extent indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar
Dated:18.2.15

True Copy

Sub Assistant Registrar

To

1. The Sub Collector, Thiruvallore.
2. The Tahsildar, Poonamallee Taluk Office
Poonamallee, Thiruvallore District
3. The Revenue Inspector
Avadi, Poonamallee High Road,
Chennai.

+1 cc to Government Pleader, SR.6359

+1 cc to M/s.R.Bharathkumar, Advocate, SR.6281.

sai(co)
krd 18/2

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