

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.34493 of 2015
and
M.P.No.1 of 2015

M.Natarajan

...Petitioner

-Vs-

1. The Chairman,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai,
Chennai - 600 005.

2. The Estate Officer,
Tamil Nadu Slum Clearance Board,
Estate Office No.6,
Chennai - 600 004.

3. M.Paripooranam

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari calling for the records relating to the proceedings of the 2nd respondent in Na.Ko.No.577/AA/15/A.V-6 dated 12.10.2015 and quash the same.

For Petitioner : Mr.R.Suresh Kumar
for M/s.K.M.Vijayan Associates

For Respondent : Mr.S.Prabhu (R1 & R2)

ORDER

Challenging the Form-A notice issued to the petitioner on the ground of alleged encroachment over and above the extent of land allotted, the present Writ Petition has been filed.

2.Though the learned counsel for the petitioner submitted that the said order has been passed without affording opportunity, the learned counsel for the respondent nos.1 & 2

submitted that it is only a show cause notice. The petitioner is at liberty to give a reply and thereafter, a final order in Form-B would be passed. If the petitioner is aggrieved over the same, he can file an appeal before the Chairman viz., respondent no.1.

3.Considering the above, liberty is given to the petitioner to give a reply to the impugned order by treating it as only a show cause notice within a period of four weeks from the date of receipt of a copy of this order. On receipt of the reply from the petitioner, the respondent no.2 will have to pass appropriate final orders under Form-B. Till final orders are passed under Form-B status quo as on today shall be maintained.

4.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

va

To

1. The Chairman,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai, Chennai - 600 005.
2. The Estate Officer,
Tamil Nadu Slum Clearance Board,
Estate Office No.6,
Chennai - 600 004.

1 CC to M/s.K.M.Vijayan Associates, Advocate SR.No.5900

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SAI (CO)
PSI (05.11.2015)