



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

and

THE HONOURABLE MR.JUSTICE **V.S.RAVI**

W.P(MD)No.15303 of 2015

Meenakshiammal

.. Petitioner

Vs.

1.The Tahsildar,
Uthammapalayam Taluk
Theni District.

2.The Executive Officer,
Kuchanoor Town Panchayat,
Theni District.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of notice issued by the 2nd respondent in his proceedings in Na.Ka.No.178/2015 dated 18.08.2015 and quash the same as illegal and consequently direct the respondents not to disturb the petitioner's peaceful possession and enjoyment of the land situated in Survey No.82/1, 82/7 to an extent of 0.98.5 Ares in Kulasekarankulam, Theni district without following the due process of law.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.M.Alaguthevan Spl. Government Pleader

ORDER

(Order of the Court was made by **S.NAGAMUTHU, J.**)

The petitioner has come up with this petition challenging the order of the 2nd respondent made in Na.Ka.No.178/2015 dated 18.08.2015 directing the petitioner to vacate the land in S.No.82/1, 82/7 at Kuchanoor Village.

2. We have heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. The learned counsel for the petitioner would submit that the impugned order has been passed without any prior notice, as required under law and without affording sufficient opportunities.

4. The learned Special Government Pleader would submit that this order may be treated as a notice and the petitioner may be permitted to submit her explanation and thereafter, the first respondent shall pass appropriate orders.



5. In view of the above, this writ petition is allowed with a direction to treat the impugned notice as a show cause notice with liberty to the petitioner to submit his objections to the first respondent and then, the first respondent shall pass appropriate orders within a period of four weeks thereafter. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

RR

To

1.The Tahsildar,
Uthammapalayam Taluk
Theni District.

2.The Executive Officer,
Kuchanoor Town Panchayat,
Theni District.

+1CC to Mr.R.Gandhi Advocate Sr.No.49095

GJM/NGM/SS/SAR(PA) 7.9.15-2P-4C

ORDER MADE IN
W.P (MD) No.15303 of 2015
25.08.2015