



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :01.04.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P(MD).No.4087 of 2015

and

M.P.(MD).No.1 of 2015

M.Prabha ... Petitioner

Vs.

1.The District Collector and
The Inspector of Panchayat,
Kanyakumari District.

2.The Assistant Director of Panchayat,
Kanyakumari District. ... Respondents

Writ Petition filed under Article 230 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the first respondent in Na.Ka.No.A4/2588/2011 (i) dated 05.02.2015 and quash the same and direct the respondents to continue the petitioner's cheque signing power.

For petitioner : Mr.R.Nandakumar
For respondents : Mr.TR.Janardhanam
Government Advocate
ORDER

The main ground on which this Writ Petition is filed that the order impugned in this Writ Petition has been passed without giving proper notice to the petitioner.

2. On verification of the original records, it is seen that the date of show cause notice is 31.01.2015. But, it was served on the petitioner only on 05.02.2015. On the very same day, the impugned order is also passed. Therefore, definitely, there is no opportunity of hearing to the petitioner and the impugned order is passed without proper application mind.

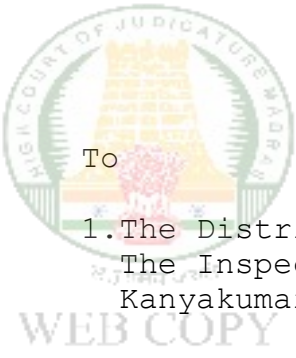
3. In view of the above, the order impugned in this Writ Petition stands set aside. The petitioner is directed to give explanation for the show cause notice dated 31.01.2015 within one week from the date of receipt of a copy of this order and after considering the reply, the first respondent is directed to pass appropriate orders within a period of two weeks, thereafter.

With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar(per.Admn.)

/True Copy/



To

1.The District Collector and
The Inspector of Panchayat,
Kanyakumari District.

2.The Assistant Director of Panchayat,
Kanyakumari District.

+1cc to Mr.R.Nandakumar, Advocate in SR.No. 16374

Sm:27.04.2015:2P/4C

ssm

W.P (MD) .No.4087 of 2015
01.04.2015