



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :01.04.2015
CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WEB COPY

W.P(MD).No.4952 of 2015

Bakiyam

... Petitioner

Vs.

1.The Executive Officer,
Balasamudram Panchayat,
Balasamudram Village,
Palani Taluk, Dindigul District.

2.The Tahsildar,
Palani Taluk,
Dindigul District.

3.Jahir Hussain ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the records relating to the impugned Memo issued by the 1st Respondent in Na.Ka.No. 425/2014/E dated 18.03.2015 and quash the same.

For petitioner : Mr.S.Anand Chandrasekar of
M/s.Sarvabhauman Associates

For R.1&2 : Mr.T.R.Janardhanam
Additional Government Pleader

ORDER

When the matter is taken-up for hearing, the learned counsel appearing for the petitioner vehemently contended that the order impugned in this Writ Petition is liable to be set aside on the very simple ground that the notice has not been issued, as contemplated under the Act, and 15 days clear time is not given to defend the case of the petitioner.

2. *Per contra*, the learned Additional Government Pleader stated that the petitioner shall treat this notice, which is impugned in this Writ Petition, as a show cause notice and he may submit his explanation within a period of 15 days from the date of receipt of a copy of this order.

3. Recording the said submission, this Writ Petition stands disposed of, with a direction that the petitioner shall treat the notice, which is under challenge in this Writ Petition, as a show cause notice and give a reply within a period of 15 days from the date of receipt of a copy of this order and thereafter, the respondents shall give an



opportunity of hearing to the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of one month, thereafter.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

\\True copy\\

Sub Assistant Registrar

To

1.The Executive Officer,
Balasamudram Panchayat,
Balasamudram Village,
Palani Taluk, Dindigul District.

2.The Tahsildar,
Palani Taluk,
Dindigul District.

+1cc to the Spl.Govt.Pleader Sr.No.17355

+1cc to M/S.SARVABHAUMAN ASSOCIATES SR.NO.16284

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01.04.2015

SSM

NA/23/04/2015/P2/5C