

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.01.2016

Coram

The Hon'ble Mr. Justice T.S. Sivagnanam

Writ Petition No.6215 of 2014,
M.P.Nos.1 to 3 of 2014
and
M.P.No.1 of 2015

P.R.Rangarajan

...Petitioner

Vs.

The Inspector of Panchayats/
District Collector,
Coimbatore District, Coimbatore.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari, to call for records on the file of the respondent in connection with the order passed by him in Na.Ka.No.1439/2012/A3, dated 09.01.2014, and to quash the same.

For Petitioner : Mr.Singaravelan for
M/s.M.Srividhya Associates.

For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

This Writ Petition has been filed, for issuance of a Writ of Certiorari to quash the impugned proceedings, dated 09.01.2014, issued by the respondent under Section 205 of the Tamil Nadu Panchayats Act, 1994.

2. As rightly pointed out by the learned Special Government Pleader for the respondent, the impugned proceeding, is only a show cause notice, for which, the petitioner could have submitted his explanation, but, without doing so, the petitioner has straightaway approached this Court, seeking to quash the same. The learned Special Government Pleader, therefore, submitted that the question of quashing the show cause notice does not arise, that too, on the grounds raised by the petitioner.

3. However, the grievance expressed by the learned counsel appearing for the petitioner is that, the copies of the orders/letters, dated 03.12.2013 and 06.01.2014, relied on by

the respondent in the show cause notice, have not been furnished to the petitioner. The learned counsel also referred to the decision of the Hon'ble Division Bench of this Court, in re (The State of Tamil Nadu rep. by Secretary to Government, Rural and Development and Local Administration Dept. Fort. St. George, Chennai and another Vs. S.Ramasamy), reported in [2011 (5) C.T.C. 197], wherein, the Division Bench has examined the manner, in which, the proceedings initiated under Section 205 of the Tamil Nadu Panchayats Act, 1994 have to be dealt with.

4. In response to the grievance expressed by the learned counsel appearing for the petitioner, the learned Special Government Pleader for the respondent submitted that copies of the letters, dated 03.12.2013 and 06.01.2014, which formed the basis for issuance of show cause notice, will be furnished to the petitioner within a reasonable time.

5. Accordingly, this Court, while rejecting the prayer, sought for by the petitioner to quash the impugned show cause notice, issues a direction to respondent to furnish a copies of the above said letters/orders, dated 03.12.2013 and 06.01.2014, to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On receipt of those copies, the petitioner is directed to submit his explanation to the show cause notice within a period of two weeks thereon, after which, the respondent shall consider the same and proceed in accordance with law after complying with the principles of natural justice and pass final orders within a period of eight weeks therefrom.

6. With the above directions, the Writ Petition is disposed of. As the main Writ Petition itself is disposed of, no further orders are required to be passed in the Miscellaneous Petitions. Consequently, all the Miscellaneous Petitions are dismissed. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

The Inspector of Panchayats/
District Collector,
Coimbatore District, Coimbatore.

+1cc to M/SM.Srividhya, Advocate, S.R.No.3007
+1cc to M/S.M.V.Muralidaran, Advocate, S.R.No.3092
+1cc to M/S.V.Jayaprakash Narayanan, Advocate sr.3257
+1cc to the Government Pleader, S.R.No.2993

Writ Petition No.6215 of 2014

sai (CO)
srg (22/01/2016)



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