



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.11.2016

C O R A M

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.21233 of 2016
and
W.M.P (MD) No.15179 to 15181 of 2016

S.Charles

.. Petitioner

Vs.

1.The Assistant Director of Town Panchayat,
New collectorate Building, Trichy.

2.The Executive Officer,
Kallakudi Town Panchayat,
Kallakudi, Trichy District.

3.M.Y.Sadiq Ali

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for all records relating to the order of the 2nd respondent made in MU.MU.No. 121/2015 dated 25.05.2016 and quash the same in so far as the petitioners property in SF.No.273/2010 extent 11.5 cents situated in Kallakudi Village Lalgudi Taluk Trichy District is concerned.

For Petitioner

... Mr.P.Sivachandran

For R1

... Mr.M.Murugan

Government Advocate

For R2

... Mr.R.Rajarajan

Government Advocate

O R D E R

This is a writ of Certiorarified Mandamus challenging the order dated 25.05.2016, passed by the second respondent, under which, the water connection in Door No.46/66, Dalmia Main Road, was changed from the name of one Irudayameri to the name of one M.Y.Sadiq Ali, the third respondent herein.

<https://hcservices.ecourts.gov.in/hcservices/>
2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.



3. On a mere perusal of the order, dated 25.05.2016, it would go to show that this order has been passed without affording an opportunity of hearing to the petitioner herein.

4. Under such circumstances, as the order has been passed in violation of the principles of natural justice, the order dated 25.05.2016 is hereby set aside. The matter is remitted back to the second respondent. The second respondent shall enquire into the claim of both the petitioner as well as the third respondent and after making due enquiry, shall pass orders, in accordance with law and on merits within a period of three weeks from the date of receipt of a copy of this order.

5. In the result, the writ petition is allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Assistant Director of Town Panchayat,
New collectorate Building,
Trichy.

2. The Executive Officer,
Kallakudi Town Panchayat,
Kallakudi,
Trichy District.

+1 cc to M/S P. Sivachandran, Advocate, SR.NO.66560

rj2

AAM:12.01.2017:2p/4c

Writ Petition (MD) No.21233 of 2016
07.11.2016