



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 05.08.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P(MD)No.17854 OF 2013 M.P(MD)No.1 of 2013

P.Mani

..Petitioner

.-Vs.

The Executive Officer,
Mandaikadu Town Panchayat,
Mandaikadu,
Kanyakumari District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the proceedings of the respondent in Na.Ka.No.118/2013/A1 dated 23.10.2013 styled as "Arivippu Notice" and quash the same and to pass further orders as this Court may deem fit and proper.

For Petitioner :Mr.M.P.Senthil

For Respondent :Mr.J.Gunaseeln Muthiah
Govt.Advocate.

ORDER

The writ petition has been filed challenging the order passed by the respondent directing the petitioner to shift his Pig form from the place where the petitioner is running for considerable length of time.

2. Though the petitioner has raised several grounds, one of the grounds raised by the petitioner is that the impugned order is in violation of principles of natural justice as the petitioner was not given any opportunity by issuing a show-cause notice before the order impugned is passed.

3. In such circumstances, this Court feels that the impugned order is liable to be quashed and hence the same is quashed. It is submitted by the learned Government Advocate appearing for the respondent that the respondent will consider the explanation of the petitioner and he may be given liberty to pass orders after hearing the petitioner. Therefore, the impugned order dated 23.01.2013, itself can be treated as a show-cause notice and the petitioner is directed to file objections/explanations before the

<https://hcs.evs.com.in/hcs/verify> in a period of two weeks from the date of receipt of a copy of this order. Upon such receipt of objections/explanations from the petitioner the respondent shall



consider the same and pass suitable orders on merits and in accordance with law within eight weeks thereafter after affording a reasonable opportunity to the petitioner.

4. With the above directions, the writ petition is disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(As)

/True copy/

Sub Assistant Registrar

To

The Executive Officer,
Mandaikadu Town Panchayat,
Mandaikadu,
Kanyakumari District.

+1cc to M/s.J.Gunaseelan muthiah, Advocate SR.No.42684

+1cc to M/s.M.P.Senthil, Advocate Sr.No.42403

gsr

sm:KBM:12.08.2016:2P/4C

W.P(MD)No.17854 OF 2013
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