

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16564 of 2017
and
W.M.P.Nos.17926 & 17928 of 2017

1. G. Ravi
 2. I. Khader Basha
 3. K.N. Umakanthan
 4. S. Deepa
- ... Petitioners

-vs-

1. The Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai - 600 009.
 2. The Director of Municipal Administration,
Municipal Administration Department,
Ezhilagam, Chepauk, Chennai - 600 005.
 3. The Regional Director of Municipal Administration,
Sarathi Nagar, Kakithapattarai,
Vellore - 600 012.
 4. The District Collector,
Vellore District, Vellore.
 5. The Commissioner,
Municipal Commissioner,
Gudiyattam Municipality,
Gudiyattam, Vellore District.
- .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the Impugned Notice bearing Na.Ka.No.846/2016/A1, dated 27.02.2017 and 10.04.2017 in respect of the Petitioners' of shop Nos.6, 7, 2 and 3 i.e. totally 4 shops respectively, situated in Anna Street and J.K. Street at Gudiyattam, on the file of the fifth respondent and quash the same.

For Petitioner : Mr.Kamachi. D

For Respondents: Mr.O.Selvam,
Government Advocate for R5

Mr.S.Divakar,
Special Government Pleader
for R1 to R4

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O R D E R

After making submission for a considerable length of time this Court is of the firm view that the challenge in this writ petition is only a show cause notice providing opportunity to the writ petitioner to respond or to submit his objections to the show cause notice. But the Writ Petitioner has chosen to move this Writ Petition.

2. Such a Writ Petition, challenging the show cause notice is not maintainable, in view of the fact that there is no ground in relating to the competency of the authority, Jurisdiction or alleging any mala fides against the official concerned. In the absence of any such ground in this Writ Petition, no Writ can be issued by this Court under Article 226 of the Constitution of India, against entertaining the show cause notice issued in this regard.

3. When the firm opinion of this Court is expressed to the learned counsel for the Writ Petitioner, at this juncture, the learned counsel sought for permission for withdrawal of this Writ Petition.

4. Accordingly, based on the endorsement made in the case bundle, the learned counsel for the writ petitioner is permitted to withdraw the Writ Petition. Thus, the Writ Petition stands dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ah/rpa

To

1. The Secretary to Government,
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Municipal Commissioner,
Gudiyattam Municipality,
Gudiyattam, Vellore District.

+2 cc to Mr.O.Selvam Advocate sr 45552

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aa27/07/2017



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