



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 31.07.2017

CORAM :

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P (MD) No.11149 of 2014
and
MP (MD) .No.1 & 2 of 2014

Rajalakshmi

... Petitioner

Vs.

1. The District Collector,
Madurai District.
2. The Tahsildar,
Melur Taluk, Madurai District.
3. The President,
Therkutheru Village Panchayat,
Melur Taluk, Madurai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to call for the records connected with the order passed by the third respondent in Na.Ka.No.1/2014-15, dated 28.06.2014 and quash the same as illegal in so far as it relates to serial number 4 in the impugned order.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.T.S.Md.Mohideen, AGP for R1 & R2
Mr.N.Manohar for R3.

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner is aggrieved by the impugned order dated 28.06.2014 issued by the third respondent calling upon the writ petitioner to remove the encroachment in question.

2.This order has not been preceded by show cause notice. On the ground of violation of principles of natural justice, we quash the order impugned in this writ petition, in so far as the writ petitioner is concerned. The matter is remitted to the file of the



third respondent with liberty to proceed afresh in accordance with law.

3.The writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District.

2.The Tahsildar,
Melur Taluk,
Madurai District.

+ 1 CC TO Mr.R.ALAGUMANI, ADVOCATE IN SR No. 69175
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 69776

SKM/ARUL

TE/SKN-RSK/SAR-IV : 10/08/2017 : 2P/5C

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