



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.10333 of 2013

and

M.P. (MD) No.1 to 3 of 2013

I.Reginamary

... Petitioner

Vs.

The Executive Officer,
Melathiruppanthuruthi Town Panchayar,
Thanjavur District.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice issued by the respondent in Na.Ka.No.52/2012/A1 dated 31.05.2013 and quash the same as illegal and consequently direct the respondent not to demolish the compound wall.

For Petitioner : Mr.T.Mahendran

For Respondent : Mr.T.S.Md.Mohideen

O R D E R

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

The petitioner questions the order dated 31 May 2013 issued by the respondent.

2.It is true that there was a prior civil proceeding which ended against the petitioner. Yet the authority before taking any coercive action ought to issue show cause notice.

3.Since the said exercise has not been taken in this case, we are inclined to interfere. We quash the impugned notice, but, remit the matter to the file of the respondent to take action as per law.

4.This writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Co)

/ True Copy /



To

The Executive Officer,
Melathiruppanthuruthi Town Panchayar,
Thanjavur District.

WEB COPY

+1cc to M/S.T.S.MOHAMED MOHIDHEEN, Advocate SR.No.67358

skm/arul

MAS/KK/SAR2:02.08.2017:2P-3C

W.P (MD) No.10333 of 2013

and

M.P. (MD) No.1 to 3 of 2013

24.07.2017