



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **06.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**

AND

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.[MD].No.19194 of 2013

and

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

R.Sundarammal

: Petitioner

Vs.

1.The District Collector,
Sivagangai.

2.The President,
Village Panchayat,
Aranmanai Panchayat,
Athangudi Post, Karaikudi Taluk,
Sivagangai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, thereby calling for the records of the impugned order dated 12.11.2013 passed by the second respondent and quash the same as illegal and arbitrary.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The second respondent passed an order of eviction without issuing notice to the petitioner. The order is under challenge in this Writ Petition.

2.The order passed by the second respondent does not contain any indication that the prior notice was issued to the petitioner. We, therefore, quash the impugned order dated 12 November, 2013 and remit the matter to the second respondent for fresh consideration. The second respondent is at liberty to issue notice to the petitioner and pass orders on merits and as per law.

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

Sd/-

Assistant Registrar(CS-III)



To

1.The District Collector,
Sivagangai.

2.The President,
Village Panchayat,
Aranmanai Panchayat,
Athangudi Post, Karaikudi Taluk,
Sivagangai District.

+1cc to M/S.P.Ganapathi Subramanian, Advocate SR.No.63911

+1cc to Special Government Pleader, SR.No.64432

SML/MYR

MAS/MR-KKR/SAR1:18.07.2017:2P-5C

Order made in
W.P.[MD].No.19194 of 2013
Dated:
06.07.2017