

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.14422 OF 2008

ORDER:

The proceedings under challenge in this Writ Petition is the notice issued to the petitioner under the Land Transfer Regulations.

The petitioner contends that, since the earlier order initiated against him in LTRP.No.143 of 2004 has attained finality by order dated 30.12.2004, the respondents are not entitled to review the earlier order; and, therefore, the show cause notice is without jurisdiction.

While the Writ Petition against a show cause notice is no doubt maintainable, if it is without jurisdiction, this plea of lack of jurisdiction can also be urged before the authorities concerned. Leaving it open to the petitioner to do so, I see no reason to exercise discretion under Article 226 of the Constitution of India to interfere against a mere show cause notice, as the petitioner can put forth all his contentions, including those urged in this Writ Petition, in his reply to the show cause notice.

The Writ Petition fails and is, accordingly, dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, ACJ)

17th March 2017
RRB