



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD)No.7675 of 2018andW.M.P.(MD)No.7294 of 2018

1.Karuppaiah

2.Paramasivan

3.Murugesan

4.Sivanu @ Sivanpanidan

: Petitioners

Vs.

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Revenue Division Officer,
Tenkasi,
Tirunelveli District.

3.The Thasildar,
Kadayanallur,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the documents pertaining to impugned predetermined notice discussed by the third respondent vide Na.Ka.A1/225/2018 dated 21.03.2018 and quash the same and may consequently direct the respondents to initiate appropriate steps to save the civil right and dignity of the petitioners and also may take appropriate steps to protect the petitioners property assigned to them as per HS2/1465 dated 13.10.1995.

For Petitioners : Mr.K.P.Narayanakumar

For Respondents : Mr.V.Anand, Governement Advocate

ORDER

The impugned notice, dated 21.03.2018, which is subject matter of this Writ Petition, is a show cause notice, calling upon the petitioner to show cause as to why his patta should not be cancelled.



2. Though the petitioner was granted seven days time to give his reply to the said show cause notice, he had chosen filing the present Writ Petition, even after expiry of the said seven days.

3. In my view, challenge to the show cause notice may not be proper, since the petitioner has liberty to raise his objections before the third respondent herein. As such the prayer sought for in this Writ Petition can only be deemed to be pre-mature.

4. In view of the same, this Writ Petition is disposed of with liberty to the petitioner to give his reply to the show cause notice dated 21.03.2018 within a period of ten days from the date of receipt of a copy of this order. On receipt of such explanation / objection, the third respondent shall conduct proper enquiry and pass appropriate orders, within a period of three months, thereafter.

5. With the above observations, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli,
Tirunelveli District.
2. The Revenue Division Officer,
Tenkasi,
Tirunelveli District.
3. The Thasildar,
Kadayanallur,
Tirunelveli District.

+1CC to Mr.K.P.Narayanakumar Advocate in SR.No.71337.

GNS

DS/PN/SAR-2 :13.07.2018: 2P/5C

W.P. (MD) No.7675 of 2018
04.07.2018