



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2018

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**and**

**THE HONOURABLE MRS.JUSTICE R.THARANI**

Writ Petition (MD).No.3086 of 2018

and

W.M.P. (MD).No.3242 of 2018

S.Selvi

... Petitioner

Vs.

1.The Tashildar,  
Thoothukudi Town,  
Tuticorin.

2.Tuticorin Circle Washerman Union,  
Representated by its Secretary,  
S.Subbiah,  
Boobalarayarpuram,  
1<sup>st</sup> Street,  
Tuticorin.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a writ of certiorarified mandamus, to quash the notice in ~~9~~ 3/13740/14 dated 31.01.2018, issued by the first respondent.

|                     |   |                     |
|---------------------|---|---------------------|
| For Petitioner      | : | Mr.KA.Raamakrishnan |
| For Respondent No.1 | : | Mr.S.Dhayalan       |
|                     |   | Government Advocate |

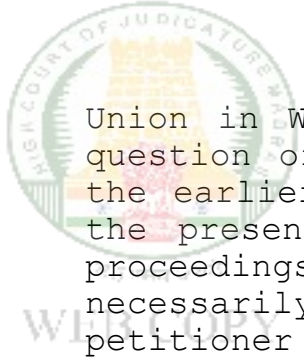
ORDER

(Order of the Court was made by T.S.SIVAGNANAM,J.)

Heard Mr.KA.Raamakrishnan, learned counsel for the petitioner and Mr.S.Dhayalan, learned Government Advocate accepts notice for the first respondent.

2.The petitioner is aggrieved by the notice issued by the first respondent calling upon the petitioner to submit her objection as to why she should not evict from the land in question.

3.The learned counsel for the petitioner submitted that the land in question is vested with the Revenue Department and some of the lands were allotted to the members of the second respondent Union. In our considered view, the present stage of the matter does not require adjudication, as the impugned proceedings is only a notice. That apart, the notice has been issued after the order passed by the Court in writ petition filed by the second respondent/



Union in W.P(MD).No.743 of 2010 dated 07.12.2016. Therefore, the question of indirectly challenging the direction already issued in the earlier writ petition does not arise. Therefore, the prayer in the present writ petition cannot be granted. Since, the impugned proceedings is only a show cause notice, the petitioner should necessarily respond to the show cause notice. Accordingly, the petitioner is directed to submit her objection raising all issues within a period of fifteen days from the date of receipt of copy of this order. On receipt of such objection, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law after issuing proper notice to the second respondent.

3. With the above observation, the writ petition is disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

The Tashildar,  
Thoothukudi Town,  
Tuticorin.

+One cc to Mr.KA.Ramakrishnan, Advocate, SR.No.49308

+One cc to The Special Government Pleader, SR.No.49384

mrn/rmk

RL/4C/2P/SKN/RSK/SAR2/9/3/2018

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