



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.11211 of 2018

and

W.M.P(MD) Nos.10249 & 10250 of 2018

N.Baskar

... Petitioner

vs.

1. The Commissioner of Municipal Administration,
Ezhilagam, Chepauk,
Chennai- 600 005.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai- 600 004.
3. The Commissioner,
Tiruchirappalli City Municipal Corporation,
Trichy- 620 001.
4. The Commissioner of Police,
Trichy City, Trichy.
5. The Assistant Commissioner,
Tiruchirappalli City Municipal Corporation,
Srirangam Zone,
Trichy District.
6. The Assistant Commissioner of Police,
Fort Range, Trichy City,
Trichy- 620 002.
7. Periaiah,
Assistant Commissioner of Police,
Fort Range, Trichy City,
Trichy- 620 002.

8.Palanichamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of certiorari, to call for the records pertaining to the impugned order passed by the 5th respondent in Na.Ka.No.1980/2018/A4(Sri), dated 19.04.2018 and



quash the same.

For Petitioner
For R1, R2, R4 & R6

: Mr.M.Saravanan
: Mr.J.Gunaseelan Muthiah,
Additional Government Pleader

For R3 and R5

: Mr.Saji Bino

For R7 & R8

: No Appearance

O R D E R

One of the grounds raised by the petitioner is that prior to the summons issued to the petitioner dated 19.04.2018, there was no show cause notice calling for objections, which is in violation of principles of natural justice.

2.If at all the respondents intend to measure the petitioner's property, it will be appropriate at first to call for the objections of the petitioner herein and then take a decision to measure the property. As such, the summons without any prior opportunity to the petitioner would be in violation of principles of natural justice.

3.Hence, the impugned order passed by the fifth respondent dated 19.04.2018 is quashed. Consequently, the fifth respondent is granted liberty to issue a fresh show cause notice to the petitioner calling for the objections and shall take a final decision only after receiving the objections of the petitioner. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner of Municipal Administration,
Ezhilagam, Chepauk,
Chennai- 600 005.

2. The Director General of Police,
Dr.Radhakrishnan Salai,

<https://hcservices.ecourts.gov.in/hcservices/>
Myapure, Chennai- 600 004.



3. The Commissioner of Police,
Trichy City, Trichy.

4. The Assistant Commissioner of Police,
Fort Range, Trichy City,
Trichy- 620 002.

+ 1 cc TO Mr.S.Saji Bino , Advocate in SR No. 67651
+ 1 cc TO Mr.R.Subramanian , Advocate in SR No. 67755
+ 1 cc TO The Special Government Pleader in SR No. 67789

das/cp

AE/SV MMS/SAR2/20.06.2018/3P/8C

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and
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