

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2019

CORAM

THE HONOURABLE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.29152 of 2019
and
W.M.P.No.28946 of 2019

M.Ramasubramaniam

Petitioner

Versus

The Assistant Engineer,
Public Works Department,
Canal Section - I,
Vettaikaranpudur & Post,
Anaimalai Taluk, Coimbatore District.

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the entire records relating to the impugned order passed by the respondent in his Letter No.AE/VKP/F.C3/-/2019, dated 21.9.2019 and quash the same.

For petitioner : Mr.C.Prakash

For Respondent : Mr.V.Jayaprakash Narayanan,
Government Pleader

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, ACJ.)

The Petitioner M.Ramasubramaniam, son of M.K.Mayilsamy Gounder has filed this Petition challenging the Notice seeking to evict him issued by the Assistant Engineer, Public Works Department, Vettaikaranpudur, in pursuance of the order passed by this court in W.P.No.23636 of 2019 dated 14.8.2019.

2. Learned counsel for the Petitioner submits that the Petitioner has submitted a representation on 26.9.2019 seeking certain documents and information from the Authority concerned under RTI Act, 2005.

3. The Petitioner seems to have approached this Court under Article 226 of the Constitution of India without even giving any reply to the notice issued by the Authority. Therefore, the Writ Petition is disposed of with a direction to the Petitioner to produce his evidence before the Authority concerned and in turn, the Authority concerned shall pass appropriate orders in the matter within a period of three weeks from today. The impugned notice dated 21.9.2019 issued by the Respondent shall be treated only as show cause notice. Till such Authority decides the representation of the Petitioner, the Respondent shall not proceed in the matter without specific leave of the court. The Petitioner may appear before the Respondent in the first instance on 30th October 2019.

4. The Writ Petition is disposed of accordingly. No costs. The connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

ssk.

To:

The Assistant Engineer,
Public Works Department,
Canal Section - I,
Vettaikaranpudur & Post,
Anaimalai Taluk, Coimbatore District.

+1 cc to M/s.C.Prakasam, Advocate, S.R.No.85966

+1 cc to the Government Pleader, S.R.No.85828

W.P.No.29152 of 2019

SR(CO)
SSM(18/10/2019)

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