



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.17095 of 2019

and

W.M.P. (MD) No.13631 of 2019

M.Balakrishnan

: Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner,
Madurai Municipal Corporation,
Office of Municipal Corporation
Zone-2, Madurai.

3. The Tahsildar,
Madurai North Taluk, Madurai.

4. The Town Survey Officer,
Madurai Corporation,
Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari calling for the records of the impugned order in Na.Ka.No.MSC/Package-6/18-19, dated 19.07.2019 issued by the second respondent and quash the same as devoid of merits.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

O R D E R

[Order of the Court was made by K.RAVICHANDRABAABU, J.]

This writ petition is filed challenging the proceedings, dated 19.07.2019, issued by the second respondent, wherein and whereby the petitioner was called upon to give explanation as to why the encroachment alleged to have been made by the petitioner in the property referred to in the said notice shall not be removed.



2. Heard both sides.

3. Though this writ petition is filed by raising very many contentions on the merits of the claim made by the petitioner, we are not inclined to entertain the same for the simple reason that the challenge made in this writ petition is only against the show cause notice. Therefore, it is for the petitioner to give explanation to the said notice by raising all the contentions. Accordingly, the petitioner shall give explanation to the impugned show cause notice itself within a period of two weeks from the date of receipt of a copy of this order. On receipt of such explanation, the concerned authority shall pass orders on merits and in accordance with law, as this Court is not expressing any view on the merits of the claim made by the petitioner.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner,
Madurai Municipal Corporation,
Office of Municipal Corporation
Zone-2, Madurai.

3. The Tahsildar,
Madurai North Taluk, Madurai.

4. The Town Survey Officer,
Madurai Corporation,
Madurai.

+1 CC to MR.A.HAJA MOHIDEEN, Advocate (SR-79562[F] dated
02/08/2019)

W.P. (MD) No.17095 of 2019

02.08.2019

RJ2