

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.Nos.12001, 12003 and 12004 of 2020
and
W.M.P.No.14731, 14732, 14734, 14735,
and 14736 and 14737 of 2020

S.Ranjith .. Petitioner in W.P.No.12001 of 2020
S.Anil Kumar ... Petitioner in W.P.No.12003 of 2020
B.Nandha Kumar ... Petitioner in W.P.No.12004 of 2020
-Versus-

The Assistant Divisional Engineer,
(Construction and Maintenance),
Chennai City Roads Division,
Highways Department,
394/4, Anna Salai,
Saidapet, Chennai 600 015.

... Respondent in all WPs

Prayer in W.P.No.12001 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the respondent vide proceedings in NO.409/2019-2020/Arumbakkam/E.Va.Tho.A dated 21.08.2020 pertaining to 'Udupi Sri Devi Prasad Hotel' building situated in S.No.446/1 part, Poonamallee High Road, Arumbakkam, Chennai 600 106 and to quash the same.

Prayer in W.P.No.12003 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the respondent vide proceedings in NO.409/2019-2020/Arumbakkam/E.Va.Tho.A dated 21.08.2020 pertaining to 'Shree Mobile Factory' building situated in S.No.446/1, Poonamallee High Road, Arumbakkam, Chennai 600 106 and to quash the same.

Prayer in W.P.No.12004 of 2020: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the respondent vide proceedings in NO.409/2019-2020/Arumbakkam/E.Va.Tho.A dated 21.08.2020 pertaining to 'Sri Ragavendra Cool Bar' building situated in S.No.446/1, Poonamallee High Road, Arumbakkam, Chennai 600 106 and to quash the same.

For Petitioner(s) .. Mr.G.Arul Murugan
for petitioners in all WPs

For Respondent(s) .. Mr.G.K.Muthukumar, Spl.GP
for the respondent in all WPs

COMMON ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

By the impugned orders, the petitioners were directed to remove the encroachments upon giving the factual finding accordingly.

2.The learned counsel appearing for the petitioners submitted that the said orders have not been preceded by show cause notices.

3.The learned Special Government Pleader appearing for the respondent acknowledging the fact submitted that no prior notices have been given to the petitioners.

4.In such view of the matter, we direct the respondent to treat the impugned notices as show cause notices. Accordingly, the petitioners are given two weeks time to give their reply from the date of receipt of a copy of this order. Upon considering the same, speaking orders will have to be passed by the respondent thereafter. Till such time, status quo as on today shall be maintained.

5.The writ petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

raa/kmk

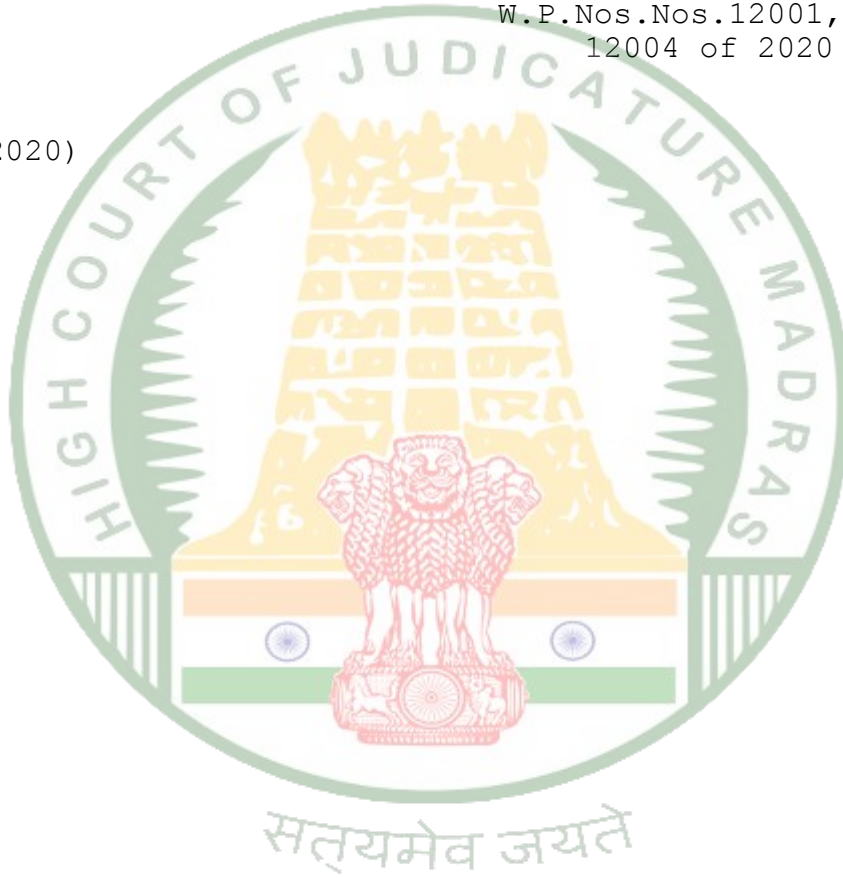
To

The Assistant Divisional Engineer,
(Construction and Maintenance),
Chennai City Roads Division,
Highways Department, 394/4, Anna Salai,
Saidapet, Chennai 600 015.

+lcc to Mr.G.Arul Murugan, Advocate, S.R.No. 29368

W.P.Nos.Nos.12001, 12003 and
12004 of 2020

MR(CO)
GN(22/10/2020)



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