



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.1756 of 2020
and
W.M.P. (MD)No.1486 of 2020

S.S.Mohamed Adham

... Petitioner

Vs.

The Executive Officer,
Pallapatti Town Panchayat,
Karur District.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the records relating to the impugned order passed by the respondent in his proceedings in Na.Ka.No.253/2018, dated 20.01.2020 (impugned order served to the petitioner on 23.01.2020) and quash the same as illegal.

For Petitioner : Mr.Mohammed Imran
for M/s.Ajmal Associates

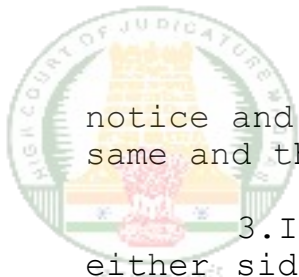
For Respondent : Mr.M.Rajarajan

ORDER

[Order of the Court was made by **M.DURAI SWAMY, J.**]

The petitioner has filed the above writ petition to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the respondent in his proceedings in Na.Ka.No.253/2018, dated 20.01.2020 and to quash the same.

2.The petitioner was issued with the impugned order, dated 20.01.2020, under Section 182 of the Tamil Nadu District Municipalities Act, 1920. It is the case of the petitioner that he was not issued with any notice prior to the issuance of the impugned order. The learned counsel for the respondent also admitted that no notice has been issued prior to the issuance of the impugned order, dated 20.01.2020. Further, the learned counsel submitted that the impugned order dated 20.01.2020 may be treated as a show cause



notice and the petitioner may be directed to give explanation to the same and thereafter, the respondent would pass suitable orders.

3. In view of the submissions made by the learned counsel on either side, we direct the petitioner to treat the impugned order, dated 20.01.2020 issued under Section 182 of the Tamil Nadu District Municipalities Act, 1920, as a show cause notice and give his reply to the same, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent is directed to consider the same and pass orders afresh on merits and in accordance with law, within a period of one week thereafter.

4. With these observations, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rj2

To

The Executive Officer,
Pallapatti Town Panchayat,
Karur District.

+1 CC to M/s.AJMAL ASSOCIATES, (SR-3707[F] dated 29/01/2020)

W.P (MD) No.1756 of 2020

and

W.M.P. (MD) No.1486 of 2020

29.01.2020

JMN(30.01.2020) 2P : 3C