



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5174 of 2021

And

W.M.P.Nos.6355 and 5737 of 2021

Mr.Ramesh

... Petitioner

Vs.

1.F.Dilavar Ali

2.The Managing Committee

Represented by its Honorary Secretary

Mr.Amanullah

Masjid - E - Mamoor Committee

New No.186, Old No.166-168,

Angappa Naicken Street,

Chennai - 600 001.

3.Estate Officer

Waqf House No.1,

Jaffar Syrang Street,

Vallal Seethakathi Nagar,

Chennai - 600 001.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records culminating in the impugned show cause notice dated 07.01.2021 (Case No.PP/4/CHE/2021) issued by the third respondent and quash the same.

For Petitioner : Mr.Shaikh Mehrunisa

For Respondents : Mr.Vaidhyanathan for R1
Mr.N.A.Nissar Ahmed for R2



O R D E R

The petitioner has filed this petition seeking issuance of Writ of Certiorari calling for the records culminating in the impugned show cause notice dated 07.01.2021 (Case No.PP/4/CHE/2021) issued by the third respondent and to quash the same.

2.Challenging the show cause notice issued under Section 4 of the Tamil Nadu Public Premises (Eviction on Unauthorised Occupants) Act, 1975 (Tamil Nadu Act 1 of 1976), the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would fairly submit that as against the show cause notice issued under Section 4 of the Tamil Nadu Public Premises (Eviction on Unauthorised Occupants) Act, 1975, writ petition may not lie, hence, this Court may permit the petitioner to participate in the enquiry proceedings before the third respondent and to make appropriate reply to the third respondent and issue direction to the third respondent to pass appropriate orders, in accordance with law, after receipt of reply from the petitioner.

4.In view of the above, this Court permits the petitioner to participate in the enquiry proceedings before the third respondent and to make appropriate reply to the third respondent. The third respondent shall pass appropriate orders, in accordance with law, after receipt of the reply from the petitioner.

5.This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1.The Managing Committee
Represented by its Honorary Secretary
Mr.Amanullah
Masjid - E - Mamoor Committee
New No.186, Old No.166-168,
Angappa Naicken Street, Chennai - 600 001.



2.The Estate Officer
Waqf House No.1,
Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

+1cc to M/s.N.A.Nissar Ahmed, Advocate Sr.58322

W.P.No.5174 of 2021
And
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ksm[co]
srg 02/12/2021