

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No. 5715 of 2020
and

W.M.P.No.6673 of 2020

M.Thangaraj

... Petitioner

-vs-

The Commissioner
Mettur Municipality
Mettur Dam-636 401
Salem District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records in pursuant to the notice in Na.Ka.No.1914/f1/2019-1 dated 20.02.2020 on the file of the respondent and quash the same.

For petitioner : Mr.S.Doraisamy

For respondent : Mr.Lourdu Paul Maurya
Standing Counsel

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

This Writ Petition has been filed for issuance of a Writ of Certiorari, to call for the records in pursuant to the notice in Na.Ka.No.1914/f1/2019-1 dated 20.02.2020 on the file of the respondent and quash the same.

2.Mr.S.Doraisamy, learned counsel for the petitioner would state that the shop under the occupation of the petitioner

was transferred from one M.S.Kumarasamy, by an order of the 1st respondent dated 23.04.2012. According to the learned counsel, the petitioner is the licensee and without cancelling the license, the respondent has no authority to pass the order impugned in this writ petition.

3.Mr.Lourdu Paul Maurya, learned Standing Counsel appearing for the respondent would state that the notice impugned in this writ petition can be treated as show cause notice and on the petitioner's reply, the 1st respondent is ready to pass orders in accordance with law.

4.Considering the facts and circumstances of this case and also considering the submissions of the learned counsels on either side, we hereby direct the petitioner to submit his reply to the impugned notice within a period of two weeks from the date of receipt of a copy of this order. On such receipt, the respondent shall pass orders, after providing opportunity to the petitioner. Till then, the respondent is directed to maintain status quo as on date.

5.With the above direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

Jer

To

The Commissioner
Mettur Municipality
Mettur Dam-636 401
Salem District.

+1cc to Mr.Doraisamy, Advocate, S.R.No.53321

W.P.No. 5715 of 2020
and W.M.P.No.6673 of 2020

MG(CO)
SB(25/10/2021)