



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No. 4606 of 2021
and
W.M.P. (MD) No. 3702 of 2021

S.Vigneswari : Petitioner

Vs.

1. The District Collector,
Tenkasi District.
2. The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.
3. The Special Officer cum Block Development Officer,
(Village Panchayat),
Periyur Panchayat,
Sankarankovil,
Tenkasi District.
4. The Executive Officer,
Periyur Panchayat,
Periyur,
Sankarankovil Taluk,
Tenkasi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari calling for the records pertaining to the impugned order passed by the third respondent vide Na.Ka.AA4/3214/2018, dated 24.02.2021 and quash the same.

For Petitioner : Mr.R.Pon Karthikeyan
For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader
for R.1

Mr.K.P.Krishnadoss,
Special Government Pleader
for R.2 to R.4



ORDER

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

The petitioner has filed the present writ petition challenging the impugned eviction notice, on the ground that the impugned order has not been preceded by a show cause notice.

2. The learned Counsel appearing for the petitioner submitted that there is a threat of eviction in pursuant to the impugned notice.

3. It appears that pursuant to the impugned notice dated 24.02.2021, the petitioner has sent a legal notice dated 27.02.2021.

4. As the impugned notice is not preceded by a show cause notice, we are inclined to treat the same as a show cause notice. Since the petitioner has also given a reply by way of the legal notice, dated 27.02.2021, the third respondent is directed to pass fresh final order, after taking note of the legal notice sent by the petitioner. The final order to be passed should be a reasoned one, taking note of the reply given by the petitioner and it shall be passed within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

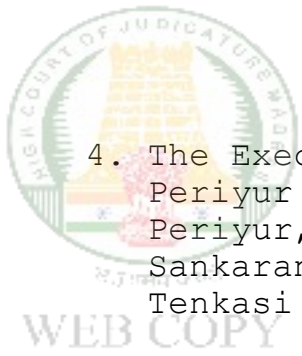
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/ /2021

Sub Assistant Registrar(CS)

To

1. The District Collector,
Tenkasi District.
2. The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.
3. The Special Officer cum Block Development Officer,
(Village Panchayat),
Periyur Panchayat,
Sankarankovil, Tenkasi District.



4. The Executive Officer,
Periyur Panchayat,
Periyur,
Sankarankovil Taluk,
Tenkasi District.

+1 CC to Mr.R.PON KARTHIKEYAN, Advocate (SR-8608[F] dated
04/03/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-8772, 8713[F] dated
04/03/2021)

W.P. (MD) No. 4606 of 2021
03.03.2021

gk

AE/ (10/03/2021) 3P / 7C