



WEB COPY

W.P.(MD)No.5862 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.5862 of 2021

and

W.M.P. (MD)Nos.4595 & 4596 of 2021

V.Gnanasekaran

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Melur,
Madurai District.

2.The Thasildar,
Thasildar Office,
Madurai East,
Madurai District.

3.The Assistant Engineer,
PWD / WRO,
Periyar Main Canal Junction,
Chittampatti,
Sub Division No.1,
Madurai - 2,
Madurai District.

4.K.K.Thirugnanam

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari to call for the records pertaining to the impugned eviction notice issued by the third respondent in his proceedings no.NIL dated 09.12.2020 and quash the same as illegal.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mrs.J.Padmavathi Devi

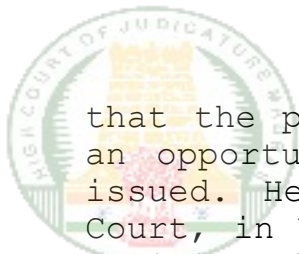
Special Government Pleader
for R.1 to R.3

ORDER

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

The petitioner has come forward to challenge the impugned notice on the premise that he has not been put on notice.

2. The learned Counsel appearing for the petitioner submitted
<https://hcservices.ecourts.gov.in/hcservices/>



that the proposed removal is contrary to law and without affording an opportunity to the petitioner, the impugned notice came to be issued. He further submitted that in similar circumstances, this Court, in W.P.(MD)Nos.2345 & 1793 of 2021, after taking note of the decision in ***T.S.Senthil Kumar v. Government of Tamil Nadu and Others***, reported in (2010) 3 MLJ 771, by order dated 09.02.2021, has held as follows:

"5. In such view of the matter, the writ petitions stand disposed of, by treating the impugned notices as show cause notices, to which, the petitioners are given four weeks time from the date of receipt of a copy of this order to give their reply and thereafter, appropriate orders will have to be passed within a further period of four weeks, in accordance with law. Till such time, status-quo, as on date, shall be maintained. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed."

3. In view of the same, this writ petition stands disposed of in the above terms. The petitioner is given four weeks time from the date of receipt of a copy of this order to give his reply to the impugned notice and thereafter, appropriate orders will have to be passed by the respondents within a further period of four weeks, in accordance with law. Till such time, status-quo, as on date, shall be maintained. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Revenue Divisional Officer,
Melur,
Madurai District.

2.The Thasildar,
Thasildar Office,
Madurai East,
Madurai District.

3.The Assistant Engineer,
PWD / WRO,
Periyar Main Canal Junction,
Chittampatti,
Sub Division No.1,
Madurai - 2,
Madurai District.



+1 CC to M/s.SPL GP (SR-11848[F] dated 17/03/2021)

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-12286[F] dated
18/03/2021)

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W.P. (MD)No.5862 of 2021

Dated: 16.03.2021

VR (CO)

KB(31.03.2021) 3P 6C