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W.P.(MD)No.6400 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.6400 of 2021

and W.M.P. (MD) Nos.4998 to 5000 of 2021

(Through Video Conferencing)

Palaniselvi

: Petitioner

Vs.

1.The Additional Chief Secretary
Department of Revenue and Disaster Management,
Government of Tamilnadu
Chennai.

2.The District Collector
Madurai
Madurai District.

3.The Revenue Divisional Officer,
Tirumangalam Taluk
Madurai District.

4.The Tahsildar,
Kalligudi Taluk
Madurai District.

5.The Commissioner
Kalligudi Panchayat Union,
Madurai District.

6.The President/Executive Officer,
Village Panchayat
Kurayur Village
Kalligudi Taluk
Madurai District.

7.Jeyaraj

: 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 relating to the impugned notice of the 6th respondent in Na.Ka.No.1/2021 (ஊராட்சி நிர்வாகம்) dated 09.03.2021 and quash the same as illegal.

For Petitioner : Mr.G.Mariappan

For Respondents : Mr.K.Mu.Muthu for R1 to R4

Special Government Pleader



ORDER

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

By the impugned notice, the petitioner was asked to remove the encroachment by herself, failing which, consequent would follow. Challenging the same, the present writ petition has been filed contending that it is not even preceded by a show cause notice.

2. Inasmuch as the impugned order has been passed without affording an opportunity of being heard, we are inclined to treat the impugned notice as a show cause notice. It is seen that the petitioner has already given a representation on 09.03.2021 followed by a legal notice dated 15.03.2021. Thus, we direct the respondent No.6 to consider the same and pass a speaking order within a period of four weeks from the date of receipt of a copy of this order. Till then, status quo as on today shall be maintained.

3. The writ petition stands disposed of accordingly. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note:(In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Additional Chief Secretary
Department of Revenue and Disaster Management,
Government of Tamilnadu
Chennai.
- 2.The District Collector
Madurai
Madurai District.
- 3.The Revenue Divisional Officer,
Tirumangalam Taluk
Madurai District.



4.The Tahsildar,
Kalligudi Taluk
Madurai District.

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-12987[F] dated 23/03/2021)

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+1 CC to M/s.SPL GP (SR-13345[F] dated 24/03/2021)

W.P. (MD)No.6400 of 2021

Dated: 22.03.2021

PK(CO)

KB(15.04.2021) 3P 7C