



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.16534 of 2021

and

W.M.P(MD) No.13415 of 2021

C.Velu

... Petitioner

Vs.

- 1.The President,
Punnapatti Panchayat,
Natham Panchayat Union,
Dindigul District.
- 2.The Block Development Officer,
Natham Panchayath Union,
Dindigul District.
- 3.The Tahsildar,
Tahsildar Office Buildings,
Natham.
- 4.The District Collector,
Collectorate Buildings, Thadikombu,
Dindigul District.

... Respondents

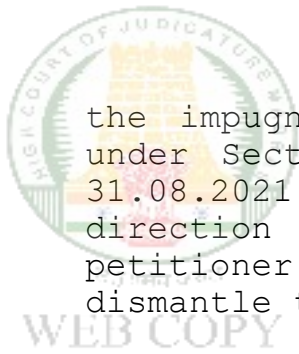
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the notice issued by the first respondent under Section 133 of the Tamilnadu Panchayath Act 1994 dated 31.08.2021 and quash the same as illegal and consequently direct to forbear the respondents from dispossessing the petitioner from the said property and subsequently direct not to dismantle the residential building built with Door No.4/41 in S.No.219 of Veerappa Naickenpatti, Punnapatti Panchayath, Natham Panchayath Union, Natham Taluk, Dindigul District.

For Petitioner	: Mr.B.A.Muruganantham
For Respondents	: Mr.B.Saravanan
	Government Advocate

ORDER

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

The Petitioner has filed the above Writ Petition to issue Writ of Certiorarified Mandamus, to call for the records pertaining to



the impugned order of the notice issued by the first respondent under Section 133 of the Tamil Nadu Panchayath Act, 1994, dated 31.08.2021 and to quash the same and consequently to issue a direction to forbear the respondents from dispossessing the petitioner from the said property and subsequently to direct not to dismantle the residential building in the said land.

2. By the impugned notice, dated 31.08.2021, the petitioner was called upon to evict and hand over the possession of the land in dispute within seven days time. According to the petitioner, he was not issued with any show-cause notice prior to the issuance of the impugned order, which is violative of the principles of natural justice.

3. Mr.B.Saravanan, learned Government Advocate, taking notice for the respondents, submitted that the impugned order, dated 31.08.2021, may be treated as show-cause notice and the petitioner may be directed to give his explanation within seven days and thereafter, the first respondent would pass final orders in the matter.

4. Mr.B.A.Muruganantham, learned Counsel appearing for the petitioner agreed for the proposal given by the learned Government Advocate and submitted that the petitioner would give his explanation within seven days time.

5.Having regard to the submissions made by the learned Counsel appearing on either side, the petitioner is directed to treat the impugned order, dated 31.08.2021, passed by the first respondent, as show-cause notice and give his explanation to the same within seven days from the date of receipt of a copy of this order and on receipt of the same, the first respondent shall pass orders on merits and in accordance with law, as expeditiously as possible.

6.With the above observations, the Writ Petition stands disposed of. No costs. Consequently the connected Miscellaneous Petition is closed.

Sd/-

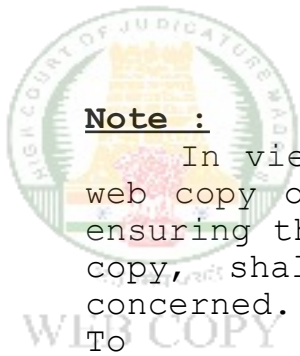
Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL/LR



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 President,
Punnapatti Panchayat,
Natham Panchayat Union,
Dindigul District.
- 2.The Block Development Officer,
Natham Panchayath Union,
Dindigul District.
- 3.The Tahsildar,
Tahsildar Office Buildings, Natham.
- 4.The District Collector,
Collectorate Buildings, Thadikombu,
Dindigul District.

+1 CC to M/s.B.A.MURUGANANTHAM, Advocate (SR-29204[F]
dated 15/09/2021)

+1 CC to M/s.SPL. GP (SR-29459[F] dated 17/09/2021)

W.P (MD) No.16534 of 2021
15.09.2021

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