



W.P. No.18268 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2022

CORAM:

**THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR. JUSTICE SUNDER MOHAN**

**W.P. No.18268 of 2022
and W.M.P. No.17614 of 2022**

Manikandan

.. Petitioner

v.

1. The District Collector,
Ariyalur Collectorate Office,
Ariyalur District.
2. The Tahsilddar,
Udayarpalayam Taluk,
Ariyalur District.
3. The Village Administrative Officer,
Soortyamannal Village Office
Udayarpalayam Taluk,
Ariyalur District.
4. The President,
Thularankurichi Panchayat,
Jayamkondam Panchayat Union,
Ariyalur District.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified mandamus, calling for the records of the 4th respondent in notice dated 27.06.2022 and quash the same and consequently direct the respondent Nos.1 and 2 to consider the representation of the petitioner dated 30.05.2022.

For Petitioner : Mr. KP. P Raja Raja Chozhan

For Respondents :Mr. P.Muthukumar,
State Government Pleader – R1

Mr. KMC. Arunmohan
for Mr.S.Sathyanarayanan - R2

ORDER

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

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified mandamus to call for the records of the 4th respondent dated 27.06.2022, to quash the same and consequently direct the respondents 1 and 2 to consider his representation dated 30.05.2022.



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2. By the impugned order dated 27.06.2022, the 4th respondent called upon the petitioner to remove the encroachment, within a period of one week. Challenging this order, the petitioner has filed the above Writ Petition contending that he was not issued with any show cause notice prior to the issuance of the impugned order.

3. Mr. P.Muthukumar, learned State Government Pleader, taking notice for the respondents submitted that the impugned order dated 27.06.2022 itself may be considered as notice under section 13(2) of the Tamil Nadu Panchyats Act 1994 and the petitioner may be granted a week's time for giving his reply to the same.

4. Mr. KP. P Raja Raja Chozhan, learned counsel appearing for the petitioner submitted that the petitioner would give his reply to the impugned notice dated 27.06.20922 within a period of one week.

5. Having regard to the submissions made by the learned counsel on either side, we direct the petitioner to construe the impugned order



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dated 27.06.2022 as a show cause notice and give his reply within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the 4th respondent, shall pass orders on merits and in accordance with law, within a period of two weeks weeks thereafter.

With these observations, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[M.D., J.] [S.M., J.]
18.07.2022

Index : Yes/No

Internet : Yes

Rj



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M. DURAISWAMY, J.



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and
SUNDER MOHAN, J

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