



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P. [MD] No. 8317 of 2022

and

W.M.P (MD) Nos. 6183 and 6184 of 2022

WEB COPY

Mydeen

... Petitioner

/Vs./

1. The President,
Thirumayam Panchayat,
Pudukkottai District.

2. The Special Officer,
Block Development Officer,
Thirumayam Panchayat Union,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining notice dated 04.03.2022 issued by the 1st respondent as illegal and quashed and consequently direct the 1st respondent not to disturbing the selling daily newspaper, drinking water and eateries in the Thirumayam Bus terminal.

For Petitioner : Mr.A.Vadivel
For Respondents : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

This writ petition has been filed challenging the impugned notice dated 04.03.2022 issued by the first respondent. The first respondent, under the impugned notice, has called upon the petitioner to pay property tax, which are in arrears according to them for the past four years, within a period of seven days, failing which the first respondent has cautioned the petitioner that he will be evicted from the subject shop. Aggrieved by the same, he has filed this writ petition. The contentions of the first respondent under the impugned notice, have been denied by the petitioner.

2. Heard Mr.A.Vadivel, learned counsel appearing for the petitioner and Mr.M.Senthil Ayyanar, learned Government Advocate, who accepts notice on behalf of the respondents.

3. The learned Government Advocate appearing for the respondents, would submit that the impugned notice can be treated as



a show cause notice to enable the petitioner to submit a reply. He would further submit that on receipt of such reply, the first respondent shall consider the same on merits and in accordance with law, after affording a fair hearing to the petitioner.

4.No prejudice would be caused to the respondents, if the impugned notice dated 04.03.2022 is treated as a show cause notice.

5.For the foregoing reasons, this Court directs the petitioner to submit a reply to the impugned notice dated 04.03.2022 stating his objections within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of such reply, the first respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing and also permitting him to produce all the documents in respect of his case, within a period of twelve (12) weeks thereafter.

6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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+1 CC to M/s.A. VADIVEL, Advocate (SR-21990[F] dated 28/04/2022)

+1 CC to M/s.SPL.GP. (SR-22082[F] dated 28/04/2022)

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MGJ(23.05.2022) 2P 3C