



W.P(MD)No.20133 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21033 of 2022

and

W.M.P.(MD)No.15266 of 2022

S.Muthulakshmi

... Petitioner

Vs.

1.The Director of Town Panchayat,
O/o. Director of Town Panchayat,
75, Santhome High Road,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Collector,
Tirunelveli,
Tirunelveli District.

3.The Assistant Director,
Town Panchayat,
Tirunelveli District.

4.The Executive Officer,
Special Grade Town Panchayat,
Vadakku Vallioor,
Vallioor,
Tirunelveli District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records on the file of 4th respondents proceeding under Housing for all - scheme 2021-22 vide Na.Ka.No.92/2022 dated 25.08.2022 and quash the same as illegal.

For Petitioner : Mr.Raja Karthikeyan

For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner was chosen as a beneficiary under “housing for all” scheme. The work order was issued by the fourth respondent on 13.04.2022. The petitioner commenced the work subsequently. It is stated that the petitioner obtained the sanction order as well as the work order by misrepresentation. The complaints were received by the fourth respondent. By the impugned proceedings dated 25.08.2022, the work order was cancelled. The cancellation order is put to challenge in this writ petition.

3. It is obvious from a reading of the cancellation order that the petitioner was not heard before passing the same. The violation of the principles of natural justice is apparent.

4. In this view of the matter, the proceedings impugned in the writ petition is quashed and the matter is remitted to the file of the fourth respondent to proceed afresh on merits and in accordance with law.



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5. With this liberty to the fourth respondent, the Writ Petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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