



W.P.No.22938 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.22938 of 2023

Rangasamy

.. Petitioner

Vs.

1. State of Tamil Nadu
Rep. by its Principal Secretary
Highways and Minor Ports Department
Chennai 600 009.

2. The District Collector
Collectorate
Coimbatore.

3. The Assistant Divisional Engineer (Highways_
Mettupalayam Sub Division
Mettupalayam
Coimbatore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari to call for the records of the respondent-3 in Show cause notice bearing Na.Ka.No.340/2022/U dated 12.6.2023 and to quash the same.



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For the Petitioner : Mr.M.Saravanakumar
For the Respondents : Mrs.R.Anitha
Special Government Pleader

ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Saravanakumar, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that the petitioner is residing in the writ property since many years. His Aadhar card also shows the same address. The notice is not issued by the competent authority. The petitioner has replied to the notice. However, the said reply has not been considered.

3. Learned Special Government Pleader submits that the petitioner himself has admitted that the land in question is a government land.



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4. The show cause notice was issued to the petitioner's father on 05.08.2022. The father of the petitioner died on 16.11.2022. Now, the final show cause notice was issued on 12.06.2023. The petitioner has not placed on record any document showing his title or construction permission or any such document to show that the subject land was allotted to the petitioner in whatsoever manner. In the absence of any document or right, no orders can be passed in favour of the petitioner. The petitioner may avail any other remedy if permissible under law.

5. The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.22435 and 22436 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

04.08.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

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