



W.P(MD)No.3346 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3346 of 2015
and
M.P.(MD)No.2 of 2015

I.Sundar Raj

... Petitioner

Vs.

1.The Chairman,
Sivakasi Municipality,
Sivakasi,
Virudhunagar District.

2.The Commissioner,
Sivakasi Municipality,
Sivakasi,
Virudhunagar District.

... Respondents

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 in respect of the resolution dated 26.02.2015 No.2608 of the respondent and quash the same as illegal null and void.



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For Petitioner : Mrs.P.Malini

For Respondents : Mrs.S.Devasena,
Standing Counsel.

ORDER

Heard both sides.

2.The petitioner had been blacklisted by the impugned resolution passed by Sivagangai Municipality. It is well settled that an order of blacklisting has serious civil consequences and that therefore, it should be preceded by show cause notice. The learned counsel for the petitioner relies on the decision reported in *(2014) 9 SCC 105 (Gorkha Security Services Vs. Government of NCT of Delhi)*. In this case, without giving such opportunity, the impugned resolution had been passed. On this ground, the impugned resolution is set aside insofar as blacklisting resolution is concerned. The matter is remitted to the file of the respondents to pass order afresh on merits and in accordance with law. It is open to the respondents to issue fresh notice to the petitioner. In any



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event, the entire exercise must be completed within a period of three months from the date of receipt of a copy of this order.

3.This writ petition is allowed on these terms. No costs.

Consequently, connected miscellaneous petition is closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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