



W.P.(MD)No.8803 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8803 of 2015
and
M.P.(MD)No.2 of 2015

Jeyam

... Petitioner

Vs.

1.The District Collector,
Pudukkottai.

2.The Thasildar,
Karambaudi Post & Taluk,
Pudukkottai District.

3.The Executive Officer,
Town Panchayat,
Karambakudi,
Pudukkottai District.

4.S.Sahul Hameed

... Respondents

*(R4 is impleaded vide order dated
30.06.2015 in M.P.(MD)No.3 of 2015 in
W.P.(MD)No.8803 of 2015 by RMDJ)*

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



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records of the 3rd respondent in Na.Ka.No.41 of 2014 dated 20.04.2015
and quash the same as illegal at once.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.S.Shanmugavel,
Addl. Government Pleader for R1 & R2.
Mr.A.C.Asaithambi for R4.
No appearance for R3.

ORDER

Heard the learned counsel for the writ petitioner, the learned Additional Government Pleader for the respondents 1 and 2 and the learned counsel for the fourth respondent. The local body has been served and they have engaged a counsel but there is no representation on the side of the third respondent.

2.The petitioner challenges the impugned order dated 20.04.2015 calling upon the petitioner to remove the petition mentioned encroachment.



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3.In the typed set of papers, the petitioner has enclosed her explanation. But it was sent only on 27.04.2015. The impugned order has been passed earlier. The petitioner has not taken any ground that the impugned order was not preceded by any notice. Be that as it may, inasmuch as an explanation has now been given by the petitioner, the third respondent is directed to conduct enquiry and pass final order. The impugned notice dated 20.04.2015 shall abide by the outcome of the said order. Till such final order is passed by the third respondent, the impugned notice shall be put on hold and kept in abeyance. The petitioner is directed to appear before the third respondent for enquiry on 19.09.2023 at 03.00 pm. All the contentions and defences of the writ petitioner are left open.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

29.08.2023

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

ias

To:-

- 1.The District Collector,
Pudukkottai.
- 2.The Thasildar,
Karambaudi Post & Taluk,
Pudukkottai District.

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