



W.P(MD)No.30380 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30380 of 2023

and

W.M.P.(MD)Nos.26157 & 26159 of 2023

Arunkumar

... Petitioner

Vs.

1.The Sub Collector,
Thoothukudi,
Thoothukudi District.

2.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.

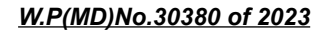
3.The Assistant Director,
Department of Geology and Mines,
Thoothukudi District.

... 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 relating to the order passed by the 1st respondent made in Na.Ka. Aa2-22-2023 dated 17.04.2023 and the quash the same as illegal.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.K.Balasubramani
Special Government Pleader



Heard both sides.

3. I went through the contents of the impugned order. There is no averment that notice was issued to the petitioner and that the petitioner did not respond. In matters such as this, the noticee ought to be put on notice before levy of any penalty. On the sole ground of violation of principles of natural justice, the impugned proceeding is set aside. The matter is remitted to the file of the first respondent to pass order afresh on merits and in accordance with law.

4. The Writ Petition is allowed with the aforesaid liberty. No costs.

Consequently, connected miscellaneous petitions are closed.

20.12.2023

Index : Yes / No
Internet : Yes/ No
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To

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Thoothukudi District.



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2.The Tahsildar,
Srivaikundam Taluk,
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3.The Assistant Director,
Department of Geology and Mines,
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G.R.SWAMINATHAN, J.

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