



W.P.(MD)No.30566 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.30566 of 2023

and

W.M.P.(MD)Nos.26280 & 26281 of 2023

J.Seeli

... Petitioner

Vs.

**1.The District Collector,
Tirunelveli District.**

**2.The Block Development Officer,
Radhapuram, Tirunelveli District.**

**3.The Tahsildar,
Thisayanvilai Taluk, Tirunelveli District.**

**4.The President,
Uvari Panchayat,
Uvari, Radhapuram Taluk, Tirunelveli District.**

5.D.George

6.Josephine Mary Anusha

7.Selva Jeniba

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 23.11.2023 in Na.Ka.E1/2795/2023, passed by the 3rd respondent and the consequential impugned order dated 11.12.2023 in Na.Ka.Aa3/3625/2022 passed by the 2nd respondent and quash the same.

For Petitioner : Mr.J.Barathan

For R1 & R3 : Mr.N.Satheesh Kumar,
Additional Government Pleader

For R2 & R4 : Mr.T.Amjadkhan, Government Advocate

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ on hand has been instituted, questioning the validity of the inter-departmental communications dated 23.11.2023 and 11.12.2023.

2.The letter dated 23.11.2023 was sent by the Tahsildar, Thisayanvilai Taluk to the Block Development Officer, Radhapuram Panchayat Union. The other letter dated 11.12.2023 was sent by the Block Development Officer to the President, Uvari Panchayat Union. Such inter-departmental communications to gather informations between the authorities or further information between the authority would provide no cause to the writ petitioner to move the Writ Petition



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under Article 226 of Constitution of India. Practice of challenging the inter-departmental communications at no circumstances be appreciated. The writ petitioner would establish the cause for the purpose of entertaining the Writ Petition.

3. Admittedly, the writ petitioner has not received any show cause notice from the competent authority regarding the allegations or otherwise. Adjudication on merits at this stage would cause prejudice to the public administration. The High Court is not expected to adjudicate such issues, which are all not only premature but the authorities competent have not formed any final opinion on the subject matter. Public administration must be allowed to complete their exercise in accordance with law and only after issuance of show cause notice or an order has been passed, an aggrieved person may approach either the appellate authority or the High Court thereafter as the case may be.

4. In the present case, the authorities have to collect all the informations, details about the allegations or otherwise and finally, after forming an opinion, have to issue show cause notice to the writ petitioner by affording opportunity to defend her case in the manner known to law. On receipt of any objections,



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document or otherwise from the petitioner, thereafter, final order is to be passed and further actions are to be continued by following the procedures.

5.This being the administrative procedures, which are all to be followed, entertaining of premature Writ Petition by the High Court would cause prejudice to the interest of the public administration. Thus, we are not inclined to entertain this Writ Petition. Therefore, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S., J.) & (V.L.N., J.)

20.12.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

1.The District Collector,
Tirunelveli District.

2.The Block Development Officer,
Radhapuram, Tirunelveli District.

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3.The Tahsildar,
Thisayanvilai Taluk, Tirunelveli District.

4.The President,
Uvari Panchayat,
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