



W.P.No.19193 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.19193 of 2023

Manuel Iruthayanathan

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Petitioner

Vs.

1. The Secretary
Government of Tamil Nadu
Rural Development and Panchayat Raj
Fort St. George, Chennai.
2. The District Collector
Thiruvallur District.
3. The Commissioner
Kadambathur Panchayat Union
Tiruvallur District – 631 203.
4. The Block Development Officer
Village Panchayat, Kadambathur
Tiruvallur.
5. The Panchayat President
Ulunthai Village Panchayat
Kadambathur Panchayat Union
Tiruvallur – 602 105.

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Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the impugned order of the 5th respondent Show Cause Notice No. 1/ 2022 - 2023 dated 17.02.2023 and quash the same as being without jurisdiction and consequently restrain the respondents from in any manner interfering with the peaceful operation and running of the factory in Survey No. 357, Ulunthai Main Road, Tiruvallur Taluk and District.

For the Petitioner	: Ms.Dakshayani Reddy Senior Counsel for Mr.Jerry V.V. Sundar
For the Respondents	: Mr.A.Edwin Prabakar State Government Pleader for R1 to R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.Dakshayani Reddy, learned Senior Counsel appearing for Mr.Jerry V.V. Sundar, learned counsel for the petitioner and Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 1 to 4.

2. Learned Senior Counsel for the petitioner submits that permission for the construction has been obtained. The show-cause notice is issued on an erroneous premise. There is no violation of the Building Rules nor of any other provisions.



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3. The impugned notice is only a show-cause notice. The petitioner has an opportunity to file a reply to the said show-cause notice. The petitioner shall file a reply to the said show-cause notice within a period of fifteen days from today. If reply is filed within fifteen days, the authorities shall consider the same on its own merits and then take a final decision in accordance with law.

4. With these observations, the writ petition stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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(2/2)

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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