



W.P.No.22949 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.22949 of 2024

1. V.Sekar

2. K.Ramasamy

.. Petitioners

Vs.

1. The District Collector
The Collectorate Campus
Namakkal District.

2. The Municipality Commissioner
Kumarapalayam Municipality
Kumarapalayam.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorari to call for the records pertaining to the proceeding/Notice in Na.Ka.No.2688/2023/Ep1 dated 24.04.2024 to the 1st petitioner and dated 19.06.2024 to the 2nd petitioner on the file of the 2nd respondent and quash the same as illegal.



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For the Petitioners : Mr.S.Sivagurunathan

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for Respondent-1

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The petitioners are challenging the notice issued by the second respondent requiring the petitioners to remove the encroachments in the land in question on the ground that no opportunity of hearing was provided before issuing the impugned notice.

2. Learned Government Advocate has filed a typed set of papers on behalf of the second respondent and submitted that show cause notice was served on the petitioners on 18.08.2023 under Section 128 of the Tamil Nadu Urban Local Authorities Act, 1998 and that the petitioners have made representations to the second respondent seeking one month time for removing the encroachment made by them.



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3. On perusal of the typed set of papers filed on behalf of the second respondent, it is clear that the petitioners, suppressing the above facts, filed the present writ petition. Therefore, the writ petition is dismissed for want of merit. There shall be no order as to costs. Consequently, W.M.P.No.25011 of 2024 is also dismissed and W.M.P.No.25009 of 2024 seeking permission to file a single writ petition is ordered on payment of separate court fee.

(D.K.K., ACJ.) (P.B.B., J.)
22.08.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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D.KRISHNAKUMAR, ACJ,
AND
P.B.BALAJI,J.

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