



W.P.No.25253 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2024

CORAM :

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

AND

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

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1. Santha
2. Panneerselvam
3. Sekar
4. Lakshmi
5. Soundararajan
6. Angammal
7. Mani

.. Petitioners

Vs.

1. The District Collector
Salem District 636 001.
2. The District Revenue Officer
Salem District 636 001.
3. The Revenue Divisional Officer
Attur Taluk, Salem District.
4. The Commissioner
Attur Municipality
Salem District.
5. The Tahsildar
Attur Taluk, Salem District.



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6. D.Sulaiman

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorari calling for the records of the 4th respondent pertaining to the impugned notice in Na.Ka.No.2142/2023/F1 dated 26.04.2024 and 02.07.2024 and quash the same as illegal.

For the Petitioners : Mr.C.Elamurugan
For Mr.Kumaresan.G

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for Respondents 1 to 3 & 5

Mr.L.P.Maurya
Standing Counsel
for Respondent-4

ORDER

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

The petitioners assail the notices issued by the fourth respondent calling upon them to remove the encroachments in the land in question on the ground that no opportunity of hearing was given to them before issuing the said notices.



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2. The fourth respondent has issued the impugned notices calling upon the petitioners to evict the encroachments without affording an opportunity of personal hearing to them and the same is in violation of the principles of natural justice.

3. In view of the above, we direct the petitioners to treat the impugned notice dated 02.07.2024 as the show cause notice and submit their objections to the fourth respondent within a period of seven days from the date of receipt of a copy of this order and thereafter, the fourth respondent shall, after considering the objections raised by the petitioners, pass appropriate orders, on merits and in accordance with law.

4. The writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, W.M.P.Nos.27587 of 2024 is ordered and 27588 & 27589 are closed.

(D.K.K., ACJ.) (P.B.B., J.)
29.08.2024

Index : Yes/No
Neutral Citation : Yes/No



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To

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

(kpl)

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