



W.P.No.25418 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM :

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

AND

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

W.P.No.25418 of 2024

M.Natarajan

..

Petitioner

Vs.

1. The District Collector
O/o. Kanchipuram District Collectorate
Kanchipuram.

2. The Assistant Division Engineer (Highways)
Constructions and Maintenance
Sriperumbudur.

..

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorari to call for the records on the file of the 2nd respondent in Ref. க.எண்.105/224/இவஅ/நாள் 01.08.2024 and quash the same.

For the Petitioner : Mr.M.Natarajan
Party-in-Person

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate



WEB COPY



W.P.No.25418 of 2024

ORDER

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

By consent of both the parties, the writ petition itself is taken up for hearing at the stage of admission.

2. The notice issued by the second respondent directing the petitioner to remove the encroachment within seven days is under challenge in this writ petition.

3. According to the petitioner, no opportunity of hearing was granted to him before issuing the impugned notice and therefore, the principles of natural justice is violated.

4. On perusal of the impugned notice, we are satisfied that the petitioner has not been provided with an opportunity of hearing.

5. In view of the above, we direct the petitioner to treat the impugned notice as the show cause notice and submit his



W.P.No.25418 of 2024

explanation within a period of one week from the date of receipt of a copy of this order and on receipt of such explanation, the second respondent shall consider the same and pass appropriate orders within a period of three weeks thereafter.

6. The writ petition is disposed of. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
03.09.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
O/o. Kanchipuram District Collectorate
Kanchipuram.
2. The Assistant Division Engineer (Highways)
Constructions and Maintenance
Sriperumbudur.



WEB COPY



W.P.No.25418 of 2024

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

(kpl)

W.P.No.25418 of 2024

03.09.2024