



WEB COPY



W.P.No.28863 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

**THE HON'BLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

W.P.No.28863 of 2024

and W.M.P.Nos.31475 and 31477 of 2024

Mansi Banthia

... Petitioner

-vs-

1. The Commissioner,
The Greater Chennai Corporation,
Chennai.
2. The Assistant Commissioner,
The Greater Chennai Corporation,
Chennai.
3. The Executive Engineer,
Zone VI, The Greater Chennai Corporation,
Chennai.
4. The Assistant Executive Engineer,
Zone VI, The Greater Chennai Corporation,
Chennai.
5. The Assistant Engineer,
Zone VI, The Greater Chennai Corporation,



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Chennai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records of the 1st respondent herein proceedings in Zone VI/Enc/Xn78/3884/2024 dated 30.08.2024 and quash the same as illegal and consequential direction or nature of direction directing the respondents to conduct proper enquiry and pass orders after giving proper opportunity to the petitioner.

For Petitioner : Mr.K.Rajendran Prasad

For Respondents : Ms.E.Abinaya Lakshana
for Mr.E.C.Ramesh,
Stdg. Counsel

* * * * *

ORDER

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

Petitioner, who admits that she is an encroacher, impugns a notice dated 30.08.2024 issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998.

2. Counsel for petitioner states that petitioner has also replied to the show cause notice, but the show cause notice is yet to be adjudicated.



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3. Therefore, we do not wish to exercise our discretionary jurisdiction under Article 226 of the Constitution of India. Writ petition is dismissed. There shall be no order as to costs. Consequently, the interim applications also stand dismissed. The authority who has issued the notice may adjudicate the show cause notice in accordance with law by following principles of natural justice. We clarify we have not given any interim relief of any nature to petitioner.

(K.R.SHRIRAM., CJ.)

**(SENTHILKUMAR
RAMAMOORTHY, J.)**

21.10.2024

Index : Yes/No

NC : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

To:

1. The Commissioner,
The Greater Chennai Corporation, Chennai.
2. The Assistant Commissioner,
The Greater Chennai Corporation, Chennai.
3. The Executive Engineer,
Zone VI, The Greater Chennai Corporation, Chennai.
4. The Assistant Executive Engineer,
Zone VI, The Greater Chennai Corporation, Chennai.
5. The Assistant Engineer,
Zone VI, The Greater Chennai Corporation, Chennai.

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