



W.P. No.39751 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P. No.39751 of 2024

and

W.M.P. Nos.43043 to 43045 of 2024

Gangan

.... Petitioner

VS

1. The District Collector,
Collectorate Office,
Rajaji Salai,
Fourth Floor,
62, Beach Road,
George Town,
Chennai – 600 001.

2. The Divisional Engineer (H),
CMDP Division – I,
Alandur,
Chennai – 600 016.

3. The Special Tahsildar,
Land Acquisition and Management,
Guindy Unit,
District Collector Office,
Chennai – 600 001.



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4. The Tahsildar,
Solinganallur Taluk Office,
No.1, 1st Cross Street,
New Kumaran Nagar,
Sholinganallur,
Chennai – 600 119.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned show cause notice, dated 25.11.2024 issued by the 2nd respondent and quash the same and consequently direct the respondents herein to act in accordance to Section 15 of the Tamil Nadu Highways Act and consequently further to determine the compensation amount payable to us under Section 19 of the Act towards the acquisition of the property comprised in Survey No.351/18, admeasuring an extent of 27 sq. meter, situated in 2nd Shankar Street, Vettuvankkeni, Injambakkam, Solinganallur Taluk, Chennai District, within a time frame fixed by this Court.

For Petitioner : Mr.R. Abdul Mubeen

For Respondents : Mr.P. Kumaresan
Addl. Advocate General
assisted by
Ms.S. Anitha
Spl. Govt. Pleader

ORDER

[Order of the Court was made by S.M. SUBRAMANIAM, J.]

The show cause notice dated 25.11.2024 is sought to be assailed in the present writ proceedings.



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2. No writ against the show cause notice is entertainable, unless it is issued by an incompetent authority or tainted with the allegations of malafides.

3. The learned counsel for the petitioner Mr.R. Abdul Mubeen, would raise grounds that the provisions of the Highways Act have not been followed. However, the petitioner has already submitted his representation / explanation to the show cause notice on 25.11.2024 and 03.12.2024. Therefore, the authorities competent have to consider the representations / explanations submitted by the petitioner and pass final orders.

4. Show Cause notice per se would not provide cause for institution of the writ petition.

5. Thus, the present writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S.J.] [V.L.N.J.]
27.12.2024

Index: Yes/ No
Speaking order / Non speaking order
Neutral citation : Yes / No
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