



W.P.(MD)No.10238 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.10238 of 2021

and

W.M.P.(MD)No.7932 of 2021

P.Rajesh Rahul

... Petitioner

Vs.

The Commissioner,
Thirumangalam Municipality,
Thirumangalam,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing Na.Ka.No. 303/2021/F1 dated 01.04.2021 on the file of the respondent and quash the same as illegal and consequently direct the respondent to permit the petitioner to continue as the Registered Engineer-III.

For Petitioner : Mr.R.Shankar Ganesh

For Respondent : Mr.A.Kannan



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of copy of that communication and that since the writ petitioner has not submitted any explanation, the impugned order came to be passed on 01.04.2021 cancelling the writ petitioner's license.

3. The learned counsel appearing for the respondent would submit that since the respondent has found some fraudulent action, he has passed the impugned order cancelling the writ petitioner's license.

4. It is evident that the writ petitioner has applied for building plan approval for the first time and without giving any opportunity, the impugned cancellation order came to be passed. Considering the above facts and circumstances and taking note of the way in which the notice was issued and the time granted and the enquiry alleged to have conducted, this Court is of the view that the writ petitioner should be given one more opportunity to defend the proceedings.

5. In the result, this Writ Petition is allowed and the impugned order passed by the respondent in Na.Ka.No.303/2021/F1 dated 01.04.2021 is hereby set aside. The writ petitioner is directed to submit



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his written explanation before the respondent within a period of ten days from the date of receipt of a copy of this order and on receiving the same, the respondent is directed to conduct proper enquiry and pass orders in accordance with law within a period of four weeks thereafter. Consequently, connected Miscellaneous Petition is closed. No costs.

07.03.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

1. The Commissioner,
Thirumangalam Municipality,
Thirumangalam,
Madurai District.



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K.MURALI SHANKAR, J

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Order made in
W.P.(MD)No.10238 of 2021
and
W.M.P.(MD)No.7932 of 2021

Dated : 07.03.2024