



W.P.(MD)No.27795 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.12.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.27795 of 2024
and
W.M.P.(MD)No.23592 of 2024

E.Sudalaimuthu

... Petitioner

Vs.

1.The District Collector,
Tenkasi Taluk,
Tenkasi District.

2.The Block Development Officer,
Kadaiyam Panchayat Union,
Tenkasi District.

3.The President,
Therkku Madathur Panchayat,
Tenkasi District.

4.S.Ramachandran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the 3rd respondent in her nil proceedings dated 24.04.2024 and set aside the same as illegal.

For Petitioner : Mr.J.Jeyakumaran

For 1st Respondent : Mr.S.Kameswaran
Government Advocate

For Respondents 2 & 3 : Mr.A.Baskaran,
Additional Government Pleader

For 4th Respondent : Mr.L.Alwin Balan



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ORDER

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Challenging the order passed by the 3rd respondent dated 24.04.2024, this Writ Petition is filed

2.Heard the learned counsels either side and carefully perused the entire materials available on record.

3.The impugned order has been passed, directing to close down the carpentry shop run by the petitioner without putting the petitioner on notice. Since the said order is passed, without giving opportunity to the petitioner, it would amount to violation of principles of natural justice. The impugned order is quashed and remanded back to the third respondent and the third respondent is directed to issue notice on the petitioner and all the necessary parties, giving opportunity of personal hearing in this regard and to pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order.



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4. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

06.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1. The District Collector,
Tenkasi Taluk,
Tenkasi District.
2. The Block Development Officer,
Kadaiyam Panchayat Union,
Tenkasi District.
3. The President,
Therkku Madathur Panchayat,
Tenkasi District.



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L.VICTORIA GOWRI, J.

Mrn

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