



W.P.(MD)No.29513 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.29513 of 2024

and

W.M.P.(MD)No.24885 of 2024

Sangumuthu

: Petitioner

Vs.

1.The District Collector,
Office of the Collectorate Building,
Ramanathapuram.

2.The Sub Collector cum
Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Paramakudi Divisional,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice issued by the third respondent in Na.Ka.No.A3/2265/2024 dated 11.11.2024 and quash the same and consequently directing the 2nd and 3rd respondents to consider my representation dated 19.06.2019 for the grant of house site patta in respect of Natham land in Survey No.397/14 to the extent of 0.0280.0 sq.mt situated at H-Paralai Village, Melaparthibanur Group, Paramakudi Taluk, Ramanathapuram District.

For Petitioner : Mr.K.Yasar Arafath

For Respondents : Mr.S.Shaji Bino

Special Government Pleader

O R D E R

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

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2.Challenging the impugned notice dated 11.11.2024 of the third respondent, the petitioner is before this Court.



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3.The impugned notice is one under Section 7 of “the Tamil Nadu Land Encroachment Act, 1905” (hereinafter referred to as 'the Act'). It is in the nature of a show cause notice calling upon the recipient to tender his explanation as to why further action under Section 6 of the Act should not be initiated against him.

4.It is settled proposition of law that this Court, exercising its power under Article 226 of the Constitution of India, will not venture to interfere with a show cause notice, except under a few exceptions. The grounds raised in the present writ petition does not fall under any of these exceptions.

5.In view of the above, the writ petition is not maintainable. However, the learned counsel for the petitioner submits that he has valid grounds to respond to the notice and therefore, seeks indulgence to give his reply.

6.In the light of the said submission, the petitioner is granted liberty to give his reply to the impugned notice within fifteen [15] days from the date of receipt of a copy of this order. On receipt of the same, the third respondent shall consider it on its



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own merits and take further proceedings in accordance with law, after extending due opportunity to the petitioner as well as any other persons, who are interested in the subject matter.

7.With the above direction, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

[M.S.R.,J.] & [A.D.M.C.,J.]
06.12.2024

Neutral Citation : Yes/No
Index : Yes/No
Internet : Yes/No
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To

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.29513 of 2024

06.12.2024