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W.P.Nos.5075 & 5078 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.Nos.5075 & 5078 of 2025

and

W.M.P.Nos.5631 & 5637 of 2025

S.Sathishkumar
S/o.Saravanan

...Petitioner
in W.P.No.5075 of 2025

Abdul Iqbal
S/o.Abdul Sabthar

... Petitioner
in W.P.No.5078 of 2025

Vs

1. The Commissioner
Salem Corporation
Salem District
Salem - 636 001.
2. The Assistant Commissioner
Suramangalam Zonal Officer
Salem Corporation
Salem District, Salem-636005.

...Respondents
in both WPs

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Writ Petitions filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari, to call for records pertaining to the issuance of Na.Ka.No.K1/2658/2021 dated 12.11.2024 issued by the 2nd respondent herein and quash the same.

For Petitioner in both WPs : Mr.A.Mukesh
for Mr.M.Selvam
For respondents in both WPs : Ms.N.Devi
Standing Counsel

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

When the captioned 'Writ Petitions' {hereinafter 'WPs' for the sake of brevity, convenience and clarity} were taken up, Mr.A.Mukesh, learned counsel representing counsel on record for writ petitioners was before us.

2. Mr.A.Mukesh, learned counsel for writ petitioners submitted that the captioned WPs are covered by earlier order made by this Court being common order dated 12.02.2025 in W.P.Nos.4486, 4489 and 4493 of 2025 and writ miscellaneous petitions thereat {hereinafter 'Naveen Kumar order' for the sake of brevity, convenience and clarity}.



W.P.Nos.5075 & 5078 of 2025

3. Issue notice.

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4. Ms.N.Devi, learned Standing Counsel accepts notice for both respondents and fairly submits that captioned WPs are directly and squarely covered by Naveen Kumar order. To be noted, a scanned reproduction of Naveen Kumar order is as follows:



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W.P.Nos. 5075, 5078 and 5079 of 2025

in all WPs

WEB COPY Prayer :

Writ Petitions filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari, in call for records pertaining to the issuance of N.A.Ka.No.K1/2658/2021 dated 12.11.2024 issued by the 2nd respondent herein and quash the same.

For Petitioner in all WPs :
For Respondents in all WPs :

Mr.M.Selvam
Ms Devi N
Standing Counsel for Salem
Corporation

COMMON ORDER

[Order of the Court was made by **MSUNDAR, J.,**]

Captioned main 'Writ Petitions' (hereinafter 'WPs' for the sake of brevity) have been filed assailing three notices, all dated 12.11.2024 bearing reference 'N.A.Ka.No.K1/2658/2021' (hereinafter collectively referred to as 'impugned notices' for the sake of brevity, convenience and clarity). To be noted, impugned notices have been issued by R2 [The Assistant Commissioner, Suramangalam Zonal Office, Salem Corporation, Salem District].

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<https://www.mhc.tn.gov.in/judis>



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W.P.Nos.5075, 4495 and 4492 of 2025

2. Learned counsel for writ petitioners submits that writ petitioners

have been visited with impugned notices suddenly.

3. Issue notice

4. Ms.Devi N, learned standing counsel for Salem Corporation accepts notice for both respondents and submits that impugned notices are only in the nature of 'Show Cause Notices' (SCNs).

5. Owing to the limited scope of captioned WPs, main WPs were taken up in the Admission Board with the consent of both sides.

6. A careful perusal of impugned notices brings to light that a spot visit / spot assessment (சேதாஸம்) was done and it was found that notices qua impugned notices have encroached upon public areas causing inconvenience to general public and traffic (பொது ஸக்கலத்தும், போக்குவரத்திற்கும் இடையூறு ஏற்படுத்தும்).

7. Be that as it may, it is seen that impugned notices only call upon notices to produce supporting documents particularly with details such as, area of the shop; usage for which shop is to be put to and orders in this regard. Impugned notices have fixed 20.11.2024 at 11.00 a.m. as the date and time (to be noted Suramangalam Ward Office is the venue) to produce

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W.P.Nos.5075 & 5078 of 2025



documents.



W.P.Nos.4486, 4489 and 4493 of 2025

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8. Learned counsel for writ petitioners submits that noticees qua impugned notices have produced documents on 20.11.2024 and further orders are yet to be made.

9. Before we proceed further, we deem it appropriate to record the submission of learned State Counsel that earlier a writ petition in W.P.No.14952 of 2020 was filed and there was a direction from this Court to take action against such unauthorized occupation causing hindrance to traffic and public. We find from our research that W.P.No.14952 of 2020 was disposed off by another Hon'ble Division Bench of this Court, in and by an order dated 16.10.2020 *inter alia* directing action in this regard.

10. Resorting to the case on hand, we have no hesitation in agreeing that impugned notices are only in the nature of SCNs. A scanned reproduction of impugned notice in W.P.No.4486 of 2025 (E.Naveen Kumar is the writ petitioner) is as follows:

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7750, 5554, 4444 and 4444 g 2024

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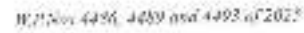
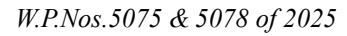
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අනුරාධපුරයේ සිටින අතර, පුරාණ සිංහල සාහිත්‍යයේ ප්‍රධාන කතෘවරුන් අතුරින් එක් අයෙකු ලෙස සැලකේ. ඔහුගේ ලියවිල්ලන් අතරින් ප්‍රධාන වශයෙන් සිංහල සාහිත්‍යයේ ප්‍රධාන කතෘවරුන් අතුරින් එක් අයෙකු ලෙස සැලකේ. ඔහුගේ ලියවිල්ලන් අතරින් ප්‍රධාන වශයෙන් සිංහල සාහිත්‍යයේ ප්‍රධාන කතෘවරුන් අතුරින් එක් අයෙකු ලෙස සැලකේ.

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THE UNIVERSITY OF CHICAGO

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உதயி ஆலயம், (பெ)
ஆலயம் என்ற ஆலயம்,
பெயர் உதயம் ௪

பெயர் / இயற்பெயர்: பெரியசாலை
 வயது: 20 - வருடா
 புகார் செய்த இடம்: பெரியசாலை, காவிரி, காவிரி

பெயர்: 1. ச. சுவாமிநாதன், இயங்குபவர்: 2. ச. சுவாமிநாதன்
3. ச. சுவாமிநாதன், இயங்குபவர்: 4. ச. சுவாமிநாதன்
4. ச. சுவாமிநாதன், இயங்குபவர்: 5. ச. சுவாமிநாதன்
பெயர்: 6. ச. சுவாமிநாதன், இயங்குபவர்: 7. ச. சுவாமிநாதன்
பெயர்: 8. ச. சுவாமிநாதன், இயங்குபவர்: 9. ச. சுவாமிநாதன்
பெயர்: 10. ச. சுவாமிநாதன், இயங்குபவர்: 11. ச. சுவாமிநாதன்
பெயர்: 12. ச. சுவாமிநாதன், இயங்குபவர்: 13. ச. சுவாமிநாதன்
பெயர்: 14. ச. சுவாமிநாதன், இயங்குபவர்: 15. ச. சுவாமிநாதன்



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W.P.Nos. 4456, 4459 and 4458 of 2025



11. We, therefore have no reason to interfere with impugned notices.

WE B U In this regard, we remind ourselves that it is nobody's case that impugned notices have been issued without jurisdiction. As writ petitioners have responded to impugned notices, let law take its course on its own merits. In other words, let respondents examine responses of writ petitioners i.e., responses to impugned notices on their own merits and in accordance with law and proceed.

12. In the light of the narrative thus far, we have no ground to interfere with impugned notices.

13. Sequitur to captioned main WPs fail and the same are dismissed albeit with observation that the matter shall proceed on their own merits and in accordance with law. Consequently, Writ Miscellaneous Petitions are also dismissed. There shall be no order as to costs.

[M.S.,J.]

[K.G.T.,J.]

12.03.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking order / Non-speaking order

at

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W.P.Nos.5075 & 5078 of 2025



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W.P.Nos.4486, 4489 and 4493 of 2025

M.SUNDAR, J.,
and

K.GOVINDARAJAN THILAKAVADI, J.

me

To

1. The Commissioner
Salem Corporation
Salem District
Salem - 636 001.
2. The Assistant Commissioner
Saramangalam Zonal Officer
Salem Corporation
Salem District, Salem-636005.

W.P.Nos.4486, 4489 and 4493 of 2025

12.02.2025

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5. In the light of the narrative thus far, captioned WPs stand dismissed

in the same manner as Naveen Kumar order which has been reproduced supra. Consequently, captioned Writ Miscellaneous Petitions thereat are dismissed. There shall be no order as to costs.

[M.S.,J.]

[K.G.T.,J.]

17.02.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

To

1. The Commissioner
Salem Corporation
Salem District
Salem - 636 001.
2. The Assistant Commissioner
Suramangalam Zonal Officer
Salem Corporation
Salem District, Salem-636005.

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M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

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17.02.2025
(2/2)