



W.P.No.7899 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 06.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.7899 of 2025

and

W.M.P.Nos. 8886 & 8887 of 2025

PATHIMA

... Petitioner

Vs

1. THE DISTRICT COLLECTOR,
TIRUPPUR.

2. TAMILNADU SLUM CLEARANCE BOARD,
TIRUPPUR DIVISION,
REP. BY EXECUTIVE ENGINEER.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, call for the records of the second respondent made in order dated 26.02.2025 in Na.Ka.No.585/Ea A/202 and quash the same.

For Petitioner : Mr.J.Franklin

For R1 : Mr.Senthil Murugan
Special Government Pleader

For R2 : Mrs.K.Indumathy Venkatesh



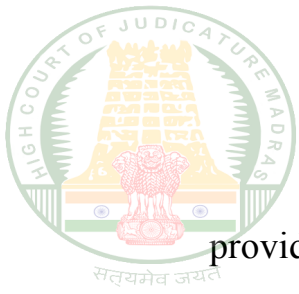
W.P.No.7899 of 2025

ORDER

WEB COPY This writ petition is filed to call for the records of the second respondent relating to the order dated 26.02.2025 in Na.Ka.No.585/Ea A/202 and quash the same.

2. The grievance of the petitioner is that the petitioner is the allottee of the tenement by the respondents organization. While so, the impugned order was suddenly issued, stating that her allotment stands cancelled in view of the fact that the petitioner is permitting her son to reside in the said house. Her son is allegedly involved in several criminal cases and has been detained under the Goondas Act. Her son is also committing offences in the tenement and engaging in rowdy activities, thereby disturbing the peaceful atmosphere. Therefore, the impugned order was passed.

3. When the matter came up for hearing, the learned counsel appearing on behalf of the second respondent sought time to obtain instructions in the matter. However, when a specific question was posed by this Court as to whether any show cause notice had been issued, no positive response was



W.P.No.7899 of 2025

provided by the learned counsel appearing for the second respondent. The impugned order refers only to two documents, it refers to the request made by the Inspector of Police, Thirumuruganpoondi Police Station, dated 22.02.2025 and the District Collector's Office order dated 26.02.2025. Therefore, it is very clear that no opportunity whatsoever has been granted to the petitioner.

4. When the impugned order visits the petitioner with civil consequences, the same ought not to have been passed without affording an opportunity to the petitioner. Moreover, the learned counsel appearing for the petitioner now undertakes before this Court that the petitioner's son is no longer living with her and that she will ensure that no such illegal activities will occur in the tenement. In view of this, an opportunity for hearing can be granted to the petitioner.

5. In view of the above, the writ petition is allowed on the following terms:-

(i) The impugned order dated 26.02.2025 bearing Na.Ka.No.585/Ea A/202 shall stand quashed. However,



WEB COPY



W.P.No.7899 of 2025

the authorities shall be at liberty to issue a show-cause notice to the petitioner and the petitioner shall submit an explanation, which will also be considered by the authorities before passing any further orders.

(ii) Consequently, connected miscellaneous petitions are closed. No costs.

06.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE DISTRICT COLLECTOR,
TIRUPPUR.
2. THE EXECUTIVE ENGINEER.,
TAMILNADU SLUM CLEARANCE BOARD,
TIRUPPUR DIVISION.



WEB COPY



W.P.No.7899 of 2025

D.BHARATHA CHAKRAVARTHY, J.

nsI

W.P.No.7899 of 2025

06.03.2025