



WEB COPY



W.P.No.27978 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM:
THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE T. VINOD KUMAR

W.P.No.27978 of 2025 and W.M.P. No.31375 of 2025

S. Murugan

Petitioner

vs.

The Commissioner
Thittakudi Municipality
Thittakudi
Cuddalore District

Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari to call for the entire records relating to the order dated 03.07.2025 made in Na.Ka.No.222/2024/F1 on the file of the respondent herein and quash the same.

For petitioner Mr. C. Munusamy

For respondent Mr. K. Suresh
Government Advocate

ORDER

[made by M.SUNDAR, J.]

Captioned main 'writ petition' [hereinafter 'WP' for the sake of brevity] has been filed assailing a 'notice signed by sole respondent on 03.07.2025 bearing reference Na.Ka.No.222/2024/F1' [hereinafter 'impugned notice' for the sake of convenience and clarity].

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2. Learned counsel for writ petitioner submitted that though the caption to the impugned notice says that it has been issued under Section 128 of the Tamil Nadu Urban Local Bodies (Amendment) Act, 2022 (Tamil Nadu Act 35 of 2022), it does not show cause the writ petitioner/noticee and on the contrary, it directly calls upon the writ petitioner/noticee to remove the alleged encroachment.

3. Issue notice to the sole respondent.

4. Mr. K. Suresh, learned Government Advocate, accepts notice for the sole respondent and very fairly submits, on instructions, that the impugned notice will now stand withdrawn. Therefore, captioned main WP is taken up with the consent of learned counsel for writ petitioner and learned State counsel in the Admission Board itself.

5. Recording the stated position of learned State counsel will suffice to give a closure to the captioned main WP. We do so.



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6. In view of the aforesaid stated position of learned State counsel, impugned notice stands withdrawn. We make it clear that all the rights and contentions of the State are preserved for issuance of a notice afresh by a competent authority in accordance with the provisions of law. If such a course is adopted, though obvious, we make it clear that all the rights and contentions of the writ petitioner/noticee also will axiomatically stand preserved and they will not be impacted by the instant order.

7. Captioned main WP stands disposed of in the aforesaid manner. In the light of impugned notice being withdrawn, captioned writ miscellaneous petition has become otiose and the same is disposed of as closed. There shall be no order as to costs.

(M.S., J.) (T.V.K., J.)
31.07.2025

cad
Index : Yes/No
NC : Yes/No

To

The Commissioner
Thittakudi Municipality
Thittakudi
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and

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