



W.P.No.38046 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.38046 of 2025

1. Venkateshwaran
2. Eswaran
3. Thangavel
4. Rani

.. Petitioners

Vs.

The Commissioner
Mettur Municipality, Mettur Dam
Salem District.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of certiorari, calling for the records relating to the eviction notice issued by the respondent in Na.Ka.No.1915/2023/F1 dated 25.09.2025 quash the same.

For the Petitioners : Mr.S.Doraisamy
for Mr.V.Elangovan

For the Respondent : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought herein is for a writ of certiorari, calling for the records relating to the eviction notice issued by the respondent in Na.Ka.No.1915/2023/F1 dated 25.09.2025 and quash the same.



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2. On 25.09.2025, an order has been passed by the respondent, that is the Mettur Municipality, whereby, the petitioners were directed to remove the encroachments on or before 06.10.2025, failing which, on 07.10.2025, with the help of Police and Electricity Department staff, such encroachment would be removed.

3. Before issuance of the order dated 25.09.2025, which is impugned herein, admittedly, no notice has been issued. Even under the provisions of Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, such kind of notice is a must and without issuing any notice, since final orders, to remove the alleged encroachments, have been issued through the impugned order, we are inclined to dispose of this writ petition with the following orders:-

(i) That the impugned order dated 25.09.2025 shall be treated only as a show-cause notice, which would be replied by the petitioners by taking 15 days' time from the date of receipt of a copy of this order and on receipt of such reply, considering the same, necessary orders, on merits and in accordance with law, shall be passed by the respondent Municipality within 15 days thereafter.



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(ii) It is needless to mention that, depending upon the outcome of the decision to be made by the respondent Municipality, further course of action could be decided by them. Till such time, no coercive steps shall be taken to remove the alleged encroachment of the petitioners.

4. With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. W.M.P.No.42478 of 2025, petition filed to permit the petitioners to file a single writ petition stands ordered, inasmuch as the petitioners have paid separate set of Court fees. Consequently, W.M.P.No.42480 of 2025 is also closed.

(R.S.K., J.) (H.C., J.)
07.10.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

Note: Issue order copy on 09.10.2025.

(drm)

To:

1. The Commissioner
Mettur Municipality, Mettur Dam
Salem District.



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R. SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.
(drm)

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