



W.P.(MD)No.775 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.775 of 2025

and

W.M.P.(MD)Nos.500 & 501 of 2025

R.Muthu

: Petitioner

Vs.

The Tahsildar,

Kamudhi Taluk,

Kamudhi,

Ramanathapuram District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records relating to the impugned notice issued by the respondent in his proceedings in Na.Ka.No.(198) 3488/2023, dated 20.12.2024 and quash the same.



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For Petitioner : Mr.B.Prahalad Ravi

For Respondent : Mr.J.Ashok

Additional 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 20.12.2024 of the respondent, the petitioner is before this Court.

3.The impugned notice is one under Section 7 of the Tamil Nadu Land Encroachment Act (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.



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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 seven [7] days from the date of receipt of a copy of this order. On receipt of the same, the respondent shall consider it on its 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.



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7.With the above direction, the writ petition stands dismissed.

There shall be no order as to costs. Consequently connected
Miscellaneous Petitions are closed.

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

09.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To
The Tahsildar,
Kamudhi Taluk,
Kamudhi,
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M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

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