



W.P(MD)No.8043 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.8043 of 2025
and
W.M.P(MD)Nos.6062 & 6063 of 2025**

R.Murugan

... Petitioner

vs.

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Kulithalai Taluk,
Kulithalai,
Karur District.

3.The Block Development Officer (Village Panchayat),
Kulithalai Panchayat Union,
Kulithalai,
Karur District.

4.C.Achutharaman

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorarified Mandamus, calling for the records

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relating to the impugned order in Na.Ka.No.4/4959/2024 dated 14.03.2025 issued by the second respondent to the extent it directs the removal of the Mandapam situated in Old S.No.235/11 and New S.No.469/1, Muslim Street, Thogaimalai Village, Kulithalai Taluk, Karur District and quash the same as illegal and consequently directing the respondents 1 to 3 to consider the petitioner's representation dated 17.03.2025 seeking exemption of the Mandapam from removal, taking into account its religious significance and cultural importance to the community.

For Petitioner	: M/s.X.Sumalatha
For RR 1 & 2	: M/s.D.Farjana Ghoushia Special Government Pleader
For R – 3	: Mr.S.S.Madhavan Additional Government Pleader

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.



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2.Challenging the notice issued by the second respondent dated 14.03.2025, under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (in short hereinafter referred to as 'the Act'), this Writ Petition has been filed.

3.The impugned notice is one issued under Section 7 of the Act. It is in the nature of a show cause notice, calling upon the recipient to submit his explanation as to why further action under Section 6 of the Act, should not be initiated against him.

4.It is a 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 few exceptions. The grounds raised in the present writ petition do not fall under any of these exceptions. However, the learned counsel appearing for the petitioner submits that the petitioner has valid grounds to respond to the notice and therefore, seeks indulgence to give his reply.

5.In the light of the said submission, the petitioner is granted liberty to give his reply to the impugned notice within fifteen days from the date of



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receipt of a copy of this order. On receipt of the same, the second respondent shall consider it on its own merits and take further proceedings in accordance with law, after giving sufficient opportunity of hearing to the petitioner as well as any other persons, who are interested in the subject matter.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] & [S.S.Y.,J.]
24.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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DATED : 24.03.2025