



W.P.(MD)No.11640 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.04.2025

CORAM:

THE HON'BLE MRS JUSTICE J. NISHA BANU

AND

THE HON'BLE MRS JUSTICE S.SRIMATHY

W.P.(MD)No.11640 of 2025

and

W.M.P.(MD)No.8605 of 2025

M.Jaffar

...Petitioner

-Vs-

1.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai-625 002.

2.The Assistant Commissioner,
Zone-1, East,
Madurai Corporation,
Moondrumavadi,
K.Pudur, Madurai-625 007.

3.The District Revenue Officer,
Madurai District, Madurai.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the entire records relating to the impugned order dated 25.03.2025 vide Na.Ka.No.M122/425/2025 passed by the second respondent insofar as describing the petitioner as an



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encroacher to an extent of 87 sq. meter by constructing a house in Survey No.16 Block No.62, Sankar Nagar 1st Street, 14th Ward, Madurai Corporation and set aside the same as illegal.

For Petitioner : Mr.Baburajendran
For R3 : Mr.M.Sarangan
Additional Government Pleader
For R1 and R2 : Mr.K.Sivabalan

ORDER

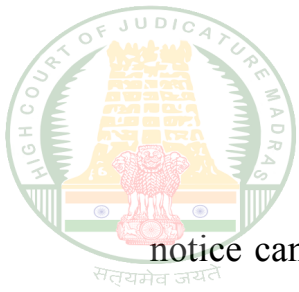
(Order of the Court was made by **J.NISHA BANU, J.**)

By consent, this writ petition is taken up for hearing at the admission stage itself.

2.Mr.M.Sarangan, learned Additional Government Pleader takes notice for the third respondent and Mr.M.Sarangan, learned counsel takes notice for the respondents 1 and 2.

3.Challenging the show cause notice issued by the second respondent seeking explanation from the petitioner for encroaching the Government property by constructing a house, this writ petition is filed.

4.Considering the facts and circumstances of the case, this Court is of the view that as a matter of right, the writ petition challenging the show cause



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notice cannot be maintained. The very allegation levelled against the petitioner is that he has encroached upon the Government property. Hence, the show cause notice was issued by the second respondent seeking explanation for such encroachment. It is for the petitioner to give his explanation with regard to the said allegation.

5.In view of the above, the petitioner is directed to submit his objection with relevant records to the show cause notice issued by the second respondent within a period of four weeks from the date of receipt of a copy of this order. On submission of such objection, the authorities concerned are directed to consider the objection raised by the petitioner by giving opportunity of personal hearing to the petitioner and pass appropriate orders, within a period of eight weeks thereafter.

6.With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (S.S.Y.,J.)
23.04.2025

Index:Yes/No
Internet : Yes/No
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