



W.P.(MD)No.15656 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2025

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.15656 of 2019
and
W.M.P.(MD)No.12333 of 2019

V.Selvaraj,
S/o.Venkatachalam,
No.68/2f, Jayalakshmi Rice Mill Opposite,
L.F.T.Road, Manchanallur,
Trichy District.

... Petitioner

-VS-

- 1.The District Collector,
Trichy, Trichy District.
- 2.The Assistant Director,
Town Panchayats,
Trichy Division, Trichy District.
- 3.The Tahsildar,
Mannachanallur, Trichy District.
- 4.The Executive Officer,
Manachanallur Town Panchayat,
Trichy District.
- 5.A.Durairaj
No.9th Ward Ex Councilor,
No.5, Rajaji Nagar,
Mannachanallur,
Trichy District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned notice, dated 08.07.2019 in Na.Ka.No. 386/2019, A3 issued by the fourth respondent and quash the same as illegal.

For Petitioner : Mr.M.Dinesh

For R-1 to R-4 : Mr.S.P.Maharajan
Special Government Pleader

For R-5 : Mr.S.K.Mani

ORDER

[Order of the Court was made by **S.SRIMATHY, J.**]

The contention of petitioner is that he has not encroached as alleged in the impugned notice, for which he has relied on the earlier proceedings in WP(MD)No.15254 of 2022 and also a report submitted by the Advocate Commissioner in Contempt Petition No.537 of 2023. It is petitioner's case that the actual encroacher is fifth respondent.

2. Therefore, petitioner is directed to treat the impugned notice as a show cause notice. Petitioner is also directed to submit his reply within a period of two weeks from the date of receipt of a copy of this order. On receipt of reply, fourth



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respondent shall provide an opportunity of personal hearing to petitioner and thereafter consider the case of petitioner and pass appropriate orders on merits and in accordance with law, within a period of four weeks therefrom.

3. It is made clear that this Court has not gone into the merits of the case. The authorities shall independently consider the documents available on record and pass a detailed order.

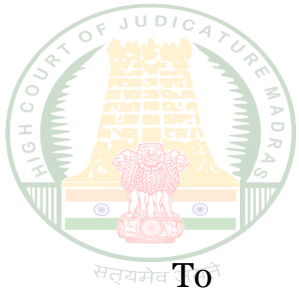
4. Petition stands disposed of. No order as to costs. Consequently, interim application stands closed.

[K.R.SHRIRAM., C.J.]

[S.SRIMATHY, J.]

20.06.2025

NCC : Yes/No
Index : Yes/No
LR/sm



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THE HON'BLE CHIEF JUSTICE
and
S.SRIMATHY, J.

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