



W.A.(MD)No.1047 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A(MD)No.1047 of 2022

and

C.M.P(MD)No.8468 of 2022

1.The District Collector,
Office of the District Collector,
Theni District.

2.The Assistant Director,
Geology and Mining,
Office of the District Collector,
Theni District.

... Appellants /
Respondents

Vs.

S.Sangeetha Rajeswari

... Respondent /
Petitioner

Prayer: Writ Appeal filed under Clause 15 of Letters Patent Act to set aside the order dated 29.04.2022 passed in W.P(MD)No.8839 of 2022 on the file of this Court.

For Appellants : Mr.S.RA.Ramachandran
Additional Government Pleader



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For Respondent : No Appearance

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JUDGMENT

Heard the learned Additional Government Pleader appearing for the appellants.

2.The writ petitioner filed W.P(MD)No.8839 of 2022 questioning the show cause notice issued by the District Collector. The writ petition was disposed of on 29.04.2022 by the learned single Judge in the following terms:

“6.This Court is of the considered view that the petitioner will also not be prejudiced, if a reply is sent to the show cause notice stating her objections and also raising whatever contentions that she has raised in this Writ Petition. However, before sending any reply, the petitioner has approached this Court prematurely. However, since the petitioner has raised the contention that she was not present at the time of the aerial survey and was not furnished with the copy of the report based on the aerial survey, this Court is of the considered view that the petitioner's interest will have to be protected, in case, any adverse order is passed against her pursuant to the impugned show cause notice for a particular period till the petitioner is able to challenge the same in the



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manner known to her under law. Excepting for this direction, the challenge of the impugned show cause notice is unsustainable in view of the aforementioned reasons given by this Court, that too, when the survey was done only pursuant to the directions given by the Division Bench of this Court in a Public Interest Litigation in W.P. (MD).No.16194 of 2020, on 18.11.2020.”

Aggrieved by the said direction, this Writ Appeal came to be filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that final order was passed by the authority on 07.02.2023 itself and that after remitting the fine amount the lease holder filed an appeal also. The appeal is still pending. Nothing survives for further adjudication.

4. This Writ Appeal is closed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [M.J.R., J.]
25.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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AND

M.JOTHIRAMAN, J.

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