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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.20772 of 2023

and

W.M.P.(MD)No.17187 of 2023

P.Kandhan : Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Block Development Officer,
Aruppukottai,
Virudhunagar District.

3.The President,
Sempatti Village Panchayat,
Aruppukottai Panchayat Union,
Virudhunagar District.

4.The Deputy Superintendent of Police,
Aruppukottai Division,
Virudhunagar District.

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5.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(Crime No.167 of 2021) : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the proceedings of the impugned show cause notice dated 22.08.2023 (Na.Ka.No.Nil) issued by the third respondent and quash the same as illegal, malafide and non-application of mind, arbitrary and unconstitutional.

For Petitioner : Mr.Vijay
for Mr.C.M.Mari Chelliah Prabhu
For Respondents Nos.1, 4 & 5 : Mr.A.Baskaran
Additional Government Pleader

O R D E R

This Writ Petition has been filed challenging the impugned show cause notice dated 22.08.2023, issued by the third respondent.

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2.The impugned show cause notice has been challenged on the ground that arbitrarily, the petitioner has been directed to send a reply to the same within 24 hours from the date of receipt of the show cause notice. On account of the fact that the petitioner is involved in a criminal case, the impugned show cause notice came to be issued by the third respondent, to enable the respondents to initiate disciplinary proceedings against the petitioner. However, as seen from the impugned show cause notice, only 24 hours time has been granted to the petitioner to submit a reply, which in the considered view of this Court is arbitrary and illegal. Sufficient time ought to have been given to the petitioner to submit a reply to the impugned show cause notice. Since the same has not been given, necessarily, the impugned show cause notice has to be quashed and this Writ Petition has to be disposed of, by directing the respondents to issue a fresh show cause notice to the petitioner by giving the petitioner sufficient time to reply to the said show cause notice.

3.Accordingly, the impugned show cause notice issued by the third respondent dated 22.08.2023, is hereby quashed and this Writ Petition is disposed of, by directing the third respondent to issue a fresh show cause notice to the petitioner by granting him

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sufficient time to send a reply to the same. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

05.11.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR

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ABDUL QUDDHOSE., J.

MR

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