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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.22859 of 2025
and
W.M.P(MD)No.17925 of 2025

S.Hakkim ... Petitioner

-Vs-

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Bharathidasan Salai,
Cantonment,
Tiruchirappalli-620 001. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Order in Na.Ka.No.F1/8255/2025(M-5) dated 08.08.2025 issued by the second respondent and quash the same and consequently direct the second respondent to consider the representation dated 16.08.2025.

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For Petitioner : Mr.P.Arun Jayatram
For R1 : Mr.V.Om.Prakash
Government Advocate
For R2 : Mr.J.Sri Prasad
for R.B.Law Associates

ORDER

(Order of the Court was made by ***G.ARUL MURUGAN, J.***)

The writ petition is filed challenging the notice issued under Section 128/1 of the Tamil Nadu Urban Local Bodies Act, 1998, dated 08.08.2025.

2. It is the contention of the learned counsel for the petitioner that the impugned notice has been issued pursuant to the directions of this Court and no opportunities have been given to the petitioner before issuing the impugned notice.

3. In view of the fact that the present impugned notice dated 08.08.2025 has been issued calling upon the petitioner to remove the encroachment within a period of seven days, and the notice has been issued pursuant to the orders of this Court directly, we are of the considered opinion that the present impugned order could be treated as the notice to enable the petitioner to submit a reply to the impugned notice.

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4. In such view of the matter, the present impugned order shall be treated as a show case notice, for which, the petitioner will submit an appropriate reply before the respondents, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such reply, the respondents would consider the same and pass appropriate orders on merits and take further proceedings in accordance with law.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
21.08.2025

NCC : Yes / No
Index : Yes / No
am

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S.M.SUBRAMANIAM, J.
AND
G.ARUL MURUGAN, J.
am

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