



W.P.(MD)No.25269 and 24788 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.09.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)Nos.25269 and 24788 of 2025

and

W.M.P.(MD)Nos.19822 & 19489 of 2025

M.Atheeswari ... Petitioner in WP(MD)No.25269/25

A.Murugan ... Petitioner in WP(MD)No.24788/25

/Vs./

1. The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
Madurai.
2. The Divisional Engineer, Highways,
Construction and Maintenance,
Madurai.
3. The Assistant Engineer, Highways,
Construction and Maintenance,
Madurai.
4. The Tahsildar,

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O/o.The Tahsildar,
Vadipatti,
Madurai.

... Respondents in both petitions

COMMON PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari after calling for the records pertaining to the impugned order passed by the 2nd respondent in Ka.No.07/2025/A4, in Ka.No.17/2025/A4, dated 29.08.2025 and quash the same.

Appearance in both petitions:-

For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.J.Ashok

Additional Government Pleader

COMMON ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

List WP(MD)No.24788 of 2025 challenging impugned order dated 29.08.2025 under a special list today. Both writ petitions are taken up as they challenge the same impugned order.



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2. We have considered an identical challenge to the impugned order, allowing WP(MD)No.24993 of 2025 holding that the impugned order had been passed in violation of the principles of natural justice.

That order reads thus:

“Mr.M.Sarangan, learned Additional Government Pleader who appears for the respondents would fairly submit that the impugned order dated 29.08.2025 passed by the second respondent/Divisional Engineer, Highways, Madurai ought to have been preceded by a show cause notice in terms of the provisions of Section 28(2)(ii) of the Tamil Nadu Highways Act, 2001, which has not been issued.

2. In such circumstances, the impugned order is set aside and shall be treated as a show cause notice by the petitioner, who shall file a reply to the same within a period of two (2) weeks from today. Upon receipt of the reply, the petitioner shall be heard and proceedings concluded in accordance with law, within a period of four (4) weeks from date of personal hearing.

3. This Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.”

3. Mr.J.Ashok, learned Additional Government Pleader, who appears for the respondents informs us that fresh notice has been issued on the same day to the petitioners in supersession of the impugned order and hence, the present impugned order is quashed.



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4. Both the writ petitions are allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

[A.S.M.J.] & [C.K.J.]
16.09.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
sm



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Construction and Maintenance,
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3. The Assistant Engineer, Highways,
Construction and Maintenance,
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4. The Tahsildar,
O/o. The Tahsildar,
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DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

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Common Order made in
W.P.(MD)No.25269 and 24788 of 2025

Dated:
16.09.2025