



W.P.(MD)No.30436 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.10.2025

CORAM:

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.(MD).No.30436 of 2025

and

W.M.P(MD)No.23651 and 23653 of 2025

R.Nadimuthu

... Petitioner

Vs.

1. The Director Municipal Administration,
Department of Municipal Administration,
Velachery Road,
Guindy,
Chennai.
2. The District Collector,
Office of the District Collector,
Thanjavur District..
3. The Assistant Director of Panchayat,
Office of the Assistant Director Panchayat,
Thanjavur District.
4. The Municipality Commissioner,
Office of The Municipality Commissioner,
Pattukkottai,
Thanjavur District.



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5. D.Thangavel

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records pertaining to Impugned Order dated 26.06.2025 Na.Ka.No.3342/2025/F1 issued by the 4th respondent and quash the same as illegal.

For Petitioner : Mr.M.Karthic Raja
For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

The above writ petition has been filed to quash the impugned order dated 26.06.2025 passed by the 4th respondent.

2. Mrs.D.Farjana Ghoushia, learned Special government Pleader takes notice on behalf of the respondents 1 to 3.

3. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself. Since no adverse orders are to be passed against the 5th respondent, notice to him is dispensed with.



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4. The case of the petitioner is that he is running a textile shop in the commercial building belonging to the 'PA.MU.A.VEE.SEETHA TRUST' for the past 12 years. For the said shop, he was paying rent every month to one Devendran, who was the trustee of the above mentioned Trust. While so, the said Devendran died on 13.03.2023 and subsequent to his death the petitioner and the other shopkeepers were paying rents regularly to one Santhi, who is the wife of the deceased Devendran.

5. At this juncture, the 5th respondent namely D.Thangavel came out of nowhere and claimed himself to be the Trustee without any basis or proof and further compelled the petitioner and the other shopkeepers to pay rents to him hereinafter. However, the petitioner had refused to pay the rent to him.

6. In this connection, the 5th respondent had filed a suit against the petitioner on the file of the District Munsif Court Pattukkottai in R.L.O.P.No.02/2023. Thereafter, he approached the petitioner several times to settle the issue out of the Court. Since the petitioner was not ready



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to settle the matter, he sent a representation to the 4th respondent dated 14.06.2025, seeking permission to demolish the trust property stating that the property is in dilapidated condition.

7. Pursuant to the representation dated 14.06.2025, the 4th respondent without any enquiry had issued impugned order dated 26.06.2025. Challenging the same, the petitioner has come before this Court.

8. The learned counsel appearing for the petitioner would submit that without conducting a proper enquiry and only on account of the representation sent by the 5th respondent dated 14.06.2025, the 4th respondent had passed the impugned order dated 26.06.2025 is against principles of natural justice. Hence, he seeks to quash the impugned order dated 26.06.2025.

9. Heard the learned counsel on either side.



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10. In the light of the fact that no show cause notice has been issued to the petitioner prior to the impugned order, the impugned order dated 26.06.2025 is set aside.

11. Accordingly, the writ petition stands allowed. The 4th respondent is directed to issue a show cause notice to the petitioner, receive objections and thereafter, pass appropriate orders, after hearing the petitioner, 5th respondent and other interested parties, if any. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

30.10.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.T.ASHA, J.

rgm

To

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