



W.P(MD)No.30898 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.10.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.30898 of 2025

and

W.M.P.(MD)Nos.24095 and 24097 of 2025

C.Premkumar

... Petitioner

Vs.

The Executive Officer,
Ponnamaravathi Town Panchayat,
Pudukkottai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned Notice issued by the respondent in his proceedings in Na.Ka.No.803/A1/2020, dated 29.09.2025 and quash the same.

For Petitioner : Mr.B.Prahalad Ravi

For Respondent : Mr.M.Gangatharan,
Government Advocate.



W.P(MD)No.30898 of 2025

ORDER

Heard both sides.

2.By the impugned order dated 29.09.2025, the petitioner has been called upon to remove the encroachment in question. This order has to be set aside for the following two reasons. (a) Though the impugned order is issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, no show cause has been given as statutory mandated. (b) The impugned order has been issued in the name of a dead person. Therefore, it should be construed as nullity.

3.In this view of the matter, the impugned order is set aside and the matter is remitted to the file of the respondent. The respondent is directed to adhere to the directions given in W.P.(MD)No.16765 of 2020. The respondent will issue show cause notice not in the name of Chandran, who is no more but in the name of the writ petitioner and thereafter, pass an appropriate order as per law.



W.P(MD)No.30898 of 2025

4.This writ petition is allowed accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

(G.R.S.J.) & (B.P.J.)
30.10.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

The Executive Officer,
Ponnamaravathi Town Panchayat,
Pudukkottai District.



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