



W.P.(MD).No.31304 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.31304 of 2024
and
W.M.P.(MD).No.26220 of 2024

Veeranathan

... Petitioner

Vs.

The Executive Officer,
Special Grade Town Panchayat,
Courtalam,
Tenkasi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice in Na.Ka.No.174/2024/A1 dated 12.12.2024 issued by the respondent and quash the same and consequently direction to the respondent not to intervene the petitioner's boundary wall construction in Survey No.462/1, with an extent of 72 cents situated at Courtalam Town Panchayat, Tenkasi District.

For Petitioner : Mr.M.Ramu

For Respondent : Mr.C.Emalias



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ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed challenging the impugned notice issued by the respondent dated 12.12.2024 and consequently, to direct the respondent not to intervene with the petitioner's boundary wall construction in Survey No.462/1, with an extent of 72 cents situated at Courtalam Town Panchayat, Tenkasi District.

3. It is settled proposition of law that the Writ Court in exercise of its powers under Article 226 of the Constitution of India will not venture to interfere with a show cause notice except for a very few exceptions, such as lack of authority, etc.

4. In the instant case, the grounds raised by the petitioner touch upon certain factual aspects regarding the respondent's claim of unauthorized construction of the boundary wall erected by the petitioner. If the petitioner is of the view that the claim made by the respondent in the impugned



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show cause notice is factually incorrect, the only option available to him would be to give a reply to the show cause notice, substantiating his grievances. Thus, this Court is not inclined to interfere with the impugned show cause notice on the factual grounds raised herein.

5. Accordingly, the Writ Petition stands dismissed. However, the petitioner is at liberty to give a reply to the impugned show cause notice within a period of one (1) week from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
06.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To
The Executive Officer,
Special Grade Town Panchayat,
Courtalam,
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