



WEB COPY

WP No. 8117 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 8117 of 2026 AND WMP NO. 8788 OF 2026

T.S.Prakash

Petitioner(s)

Vs

1. The District Collector
Erode District 638011

2.The District Revenue Officer
Erode District 638011

3.The Revenue Divisional Officer
Erode District 638011

4.The Tahsildar
Perundurai Taluk, Erode District
638052.

5.The Executive Officer
Karumandisellipalayam Town
Panchayat, Perundurai, Erode District
638052.

Respondent(s)

PRAYER

To Issue a Writ of Certiorari Calling for the records relating to the impugned order in Na.Ka.5583/2025/A3 dated 29.09.2025 passed by the 3rd Respondent without issuing notice or conducting enquiry to the petitioner and to quash the same and pass such further or other orders.



For Petitioner(s): Mr.I Abrar Mohamed Abdullah
For Respondent(s): Mr.C.Jayaprakash
Govt Advocate For R1 to R4
Mr.Vadivelu Deenadayalan,
AGP For R5

ORDER

This writ petition has been filed, challenging the impugned order dated 29.09.2025 passed by the third respondent, imposing penalty on the petitioner for the alleged felling of trees by the petitioner in a public pathway, without seeking the permission of the respondents.

2.The petitioner has challenged the impugned order on the ground of violation of principles of natural justice and on the ground that it is a non-speaking order.

3.Admittedly, the impugned order has been passed without issuing notice to the petitioner and without hearing the petitioner's objections. The petitioner categorically contends before this court that he is not liable to pay any penalty as fixed under the impugned order as he claims that he has not committed any illegality. Since the impugned order has been passed without affording an opportunity of hearing to the petitioner, necessarily, the impugned order is an order passed in violation of principles of natural justice and is a non-speaking order with regard to the contentions of the petitioner as raised in this writ petition.



4. In view of the same, the impugned order dated 29.09.2025 passed by the third respondent has to be quashed and the matter has to be remanded back to the third respondent for fresh consideration, on merits and in accordance with law.

5. Accordingly, this writ petition is disposed of by quashing the impugned order dated 29.09.2025 passed by the third respondent and by directing the respondents to issue fresh show cause notice to the petitioner and only after hearing the petitioner's explanation and after giving due consideration to the supporting documents filed by the petitioner, the respondents are directed to pass final orders with regard to the levy of penalty on the petitioner for the alleged felling of trees in the public pathway by the petitioner. Consequently, connected WMP is closed. No costs.

27-02-2026

vga



To

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ABDUL QUDDHOSE J.

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