



W.P.(MD)No.13528 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2026

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.13528 of 2026
and W.M.P.(MD)No.10064 of 2026

Priya

... Petitioner

Vs.

1. The Assistant Divisional Engineer (Highways),
Construction and Maintenance,
Tamil Nadu State Highways Department,
Dindigul
2. The Tahsildar,
Dindigul West Taluk,
Dindigul.
3. The Assistant Electrical Engineer,
TANGEDCO,
N.G.O. Colony Division,
Dindigul.
4. The Inspector of Police,
Taluk Police Station,
Dindigul.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the



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order of the 1st respondent made in Ku.No.Encroach/6839/2026/NU/U dated 24.04.2026 and quash the same as it is arbitrary and illegal.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.D.Sasikumar,
Addl. Govt. Pleader for R1 & R2

Mr.K.Sanjay Ganthi,
Govt. Advocate (Crl. Side) for R4

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition has been filed challenging the eviction order passed by the first respondent in proceedings No. Ku.No.Encroach/6839/2026/NU/U dated 24.04.2026.

2. Mr.D.Sasikumar, learned Additional Government Pleader takes notice for respondents 1 and 2 and Mr.K.Sanjay Gandhi, learned Government Advocate (Crl. Side) takes notice for R4. Since no adverse order is going to be passed against the third respondent, notice to the third respondent is dispensed with.



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3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, she has been in possession of a portion of the land in the subject premises, where she runs a small business under the name and style of M/s. K.K. Decorators by erecting temporary structures for her livelihood. However, the first respondent passed the impugned eviction order without issuing any show cause notice. Hence, the impugned order is liable to be quashed.

5. When the matter came up before this Court in the morning session, we asked the official respondents to produce the documents, and in the afternoon session, the documents were produced.

6. On a perusal of the same, it is seen that a show cause notice had been issued, and since the petitioner refused to receive it, the respondents affixed the notice on the shop belonging to the petitioner.

7. The main contention of the petitioner is that no show cause notice was issued prior to the issuance of the impugned order. However,



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the fact remains that the show cause notice was affixed to the shop belonging to the petitioner. Be that as it may, in order to satisfy the principles of natural justice, we are of the view that the present impugned order should be treated as a show cause notice. The petitioner shall submit her explanation to the said show cause notice within a period of three days from today to the respondent authority and the respondents shall consider the said explanation on its own merits and pass orders in accordance with law thereafter.

8. With the above direction, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
29.04.2026

Index :Yes/No
Internet :Yes
vsm



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To

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AND
M.JOTHIRAMAN, J.

vsm

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