



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.09.2015

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WEB COPY

THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

W.P(MD) .No.16461 of 2015

C.Mathana Chandrasekaran

...Petitioner

Vs.

Madurai Corporation,
Rep. By its Commissioner,
Anna Maligai,
Thallakulam,
Madurai.

...Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the respondent from restraining the petitioner's peaceful enjoyment of her house property by making an entrance on the eastern side of her property through Veerakaliyamman Koil Street.

For petitioner	: Mr.K.Viralinathan
For Respondent	: Mr.R.Prabhu Ramachandran takes notice

ORDER

This Writ Petition has been filed praying for a Writ of Mandamus forbearing the respondent from restraining the petitioner's peaceful enjoyment of her house property by making an entrance on the eastern side of her property through Veerakaliyamman Koil Street.

2. Mr.R.Prabhu Ramachandran, learned counsel takes notice of the respondent.

3. The case of the petitioner is that the petitioner purchased a house property in Door No.56A situated at Valluvar Vadakku Street, Madakkulam Village, Madurai, measuring to an extent of 1278-3/4 sq. ft. The said property has been levied with house tax and drainage tax by the respondent under Tax No.115542. In the said property there is one common entrance which has been used by the petitioner as well as the other adjacent house owners for their ingress and egress. Now the petitioner proposed to put up a gate on the eastern side of her property towards Veerakaliyamman Koil Street. The proposed opening has been restrained by the respondent for the reasons best known to them. Hence, the



petitioner insisted the respondent to give their objection in writing. But till date, there is no response. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

4. However, I find that the petitioner without making any representation, directly approached this Court seeking for a direction forbearing the respondent from restraining the petitioner's peaceful possession and enjoyment of her property. In the absence of any representation, this Court cannot give any direction.

5. In the result, the Writ Petition is dismissed. No Costs. However the petitioner is at liberty to make a representation to the respondent by putting forth her grievance, if she is so desires.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

pm

To

The Commissioner,
Madurai Corporation,
Anna Maligai,
Thallakulam,
Madurai.

+1cc to Mr.K.Viralinathan,Advocate Sr NO.53665

+1cc to MR. R.Prabhu Ramachandran, Advocate Sr No.53762

W.P (MD) .No.16461 of 2015

11.09.2015

rg.28.09.2015/GSV/PM/SAR-II. 2P/4c