



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.(MD)No.1703 of 2015

and

M.P.(MD)Nos.1 and 2 of 2015

WEB COPY

Karuppiah

...Petitioner

Vs.

1.The Commissioner,
Pudukottai Municipality,
Pudukottai District.

2.Valliammai

...Respondents

(Cause title amended as per order
dated 26.02.2015 passed in MP.3/2015)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order of the respondent in Na.Ka.No.29927/2014/F2, dated 20.12.2014 and quash the same.

For Petitioner : Mr.J.Anandkumar
For Respondent-1 : Mr.P.Mahendran
Addl.Govt.Pleader
For Respondent-2 : No Appearance

O R D E R

The Writ Petition has been filed for issuance of a Writ of Certiorari, to call for the records relating to the impugned order of the respondent in Na.Ka.No.29927/2014/F2, dated 20.12.2014 and quash the same.

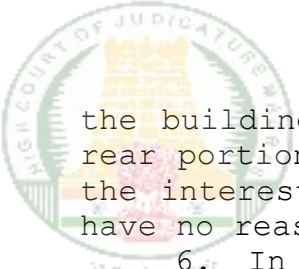
2. The petitioner has challenged the impugned order, dated 20.12.2014, only on the ground that he is a tenant and the building, which is now sought to be demolished, is not in such a dilapidated condition and the back portion of the building alone is in dilapidated condition. Therefore, the impugned order is not in accordance with law. In fact, he would also contend that the order is passed without any notice to him.

3. The learned Standing Counsel appearing for the respondent Corporation brought to the notice of this Court that the building is in dilapidated condition and already a portion of the building fell down and in that incident, a person died, who is a former employee of the Corporation. Apprehending damage that if any further portion of the building fell down, it will be danger to the life of other persons and urther, the building has been put up in the year 1932 and the building is more than 82 years old, rightly the authority has passed the order and prays for dismissal of the writ petition.

4. I have carefully considered the submissions made on either side and perused the materials available on record.

<https://hcservices.ecourts.gov.in/hcservices/>

5. It is very clear that even the petitioner itself in his representation to the Commissioner submitted that already a rear block of



the building is in dilapidated condition and the fact remains that the rear portion of the building has already fallen down causing death and in the interest of public, the authority has passed the order rightly and I have no reason to interfere with the same.

6. In the result, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To
The Commissioner,
Pudukottai Municipality,
Pudukottai District.

+1cc to Mr.P.Mahendran, Advocate in SR.10733
+1cc to Mr.J.Anandkumar, Advocate in SR.10538

W.P. (MD) No.1703 of 2015
05.03.2015

mpk
PBK 25/03/2015 ::2P-4C: