



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Writ Petition (MD) No.9071 of 2016
and
W.M.P(MD) Nos.7208 and 7209 of 2016

M.Muthulakshmi

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner/
Deputy Collector,
Zone I, West Zonal Office,
Madurai Corporation,
T.P.K. Road, Madurai.

3.V.Chokkalingam

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No.Mathil/8619/15 dated 25.04.2016 and quash the same.

For Petitioner : Mr.R.Subramanian

For Respondents 1 and 2 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

ORDER

(Order of the Court was made by T.S.SIVAGNANAM,J)

Heard Mr.R.Subramanian, learned counsel appearing for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 and 2.

2.The impugned proceedings is only a notice calling upon the petitioner to give objections to the proposed action whereby the respondent Corporation has proposed to evict the petitioner from the property in question. Admittedly, an order was passed by the respondent Corporation on 05.07.2013 which has been questioned by the petitioner by filing W.P. (MD) No.13189 of 2013.



3.Learned counsel appearing for the petitioner would admit that there are no interim orders in the writ said petition. Therefore, the respondent cannot be faulted for issuing the impugned notice. In any event, the petitioner is entitled to raise all her objections to the said notice and after which the respondent shall consider the reply and pass appropriate orders on merits and in accordance with law. Therefore, the petitioner is granted seven days time from today to submit her reply to the impugned notice, after which the respondent shall consider the same and pass appropriate orders within ten days thereafter. Till such time, status quo with regard to the possession as on today (04.05.2016) shall be maintained.

4.The writ petition is accordingly disposed of. No costs. Consequently, W.M.P.(MD)Nos.7208 and 7209 of 2016 are closed.

Sd/
Assistant Registrar
(Vacation officer)

/True Copy/

Sub Assistant Registrar.

To

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner/
Deputy Collector,
Zone I, West Zonal Office,
Madurai Corporation,
T.P.K. Road, Madurai.

+1CC to M/S.R.Subramanian, Advocate, SR.No. 25854.

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AM/AAL.MPA/SAR-I/06.05.2016/2P/4C