

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.15291 of 2015
and
M.P.Nos.1 and 2 of 2015

R.Dhanalakshmi

... Petitioner

Vs

The Commissioner,
Arakonam Municipality,
Arakonam.

... Respondent

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records of the respondent made in Na.Ka.No.649/15/F1 dated 04.05.2015 and quash the same.

For Petitioner : Mr.J.Sudhakaran

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner has impugned the notice dated 04.05.2015 issued under Sections 185, 313, 338, 339 and 344 of the Tamil Nadu District Municipalities Act, 1920. It is the case of the petitioner that she is a patta holder and not an encroacher and thus, there is no question of removal of encroachment, as threatened by the respondent, that too within three days from the date of the notice. The aforesaid being the position, we are of the view that the petitioner may be granted an opportunity to file a reply to this notice along with the relevant documents within fifteen days from today and the respondent would examine the documents produced by the petitioner and take a considered decision within a period of two months thereafter.

2. The interim order granted on 28.5.2015 shall continue to enure to the benefit of the petitioner till such time the decision is taken and in case, an adverse decision, for a period of fifteen days after the receipt of the order by the petitioner.

3. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.Nos.1 and 2 of 2015 are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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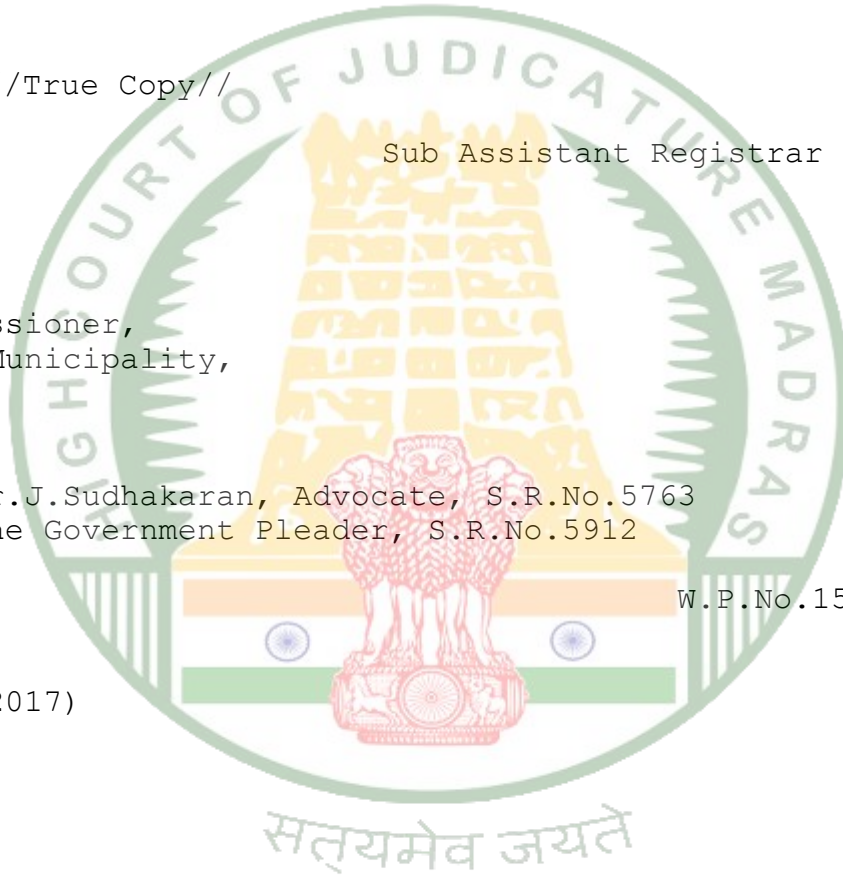
To

The Commissioner,
Arakonam Municipality,
Arakonam.

+1cc to Mr.J.Sudhakaran, Advocate, S.R.No.5763
+1cc to the Government Pleader, S.R.No.5912

W.P.No.15291 of 2015

KJ(CO)
CA(09/02/2017)



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