



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

AND

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 10709 of 2014

and

M.P. (MD) No. 1 of 2014

K. Manikandan

.. Petitioner

Vs.

1. The Commissioner,
Corporation of Madurai,
Madurai.

2. The Assistant Commissioner,
Corporation of Madurai,
Madurai.

3. Boomi Balan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 1 and 2 herein and their men from in any way dispossessing the petitioner except by due process of law in respect of the property at No. 70, Bharathiyar Street, R.S. No. 72/2, Ward No. 89, Bharathiyar Road, Avaniyapuram, Madurai.

For Petitioner : Mr. C. Sundaravadivel

For RR 1 & 2 : Mr. T. S. Mohammed Mohideen,
Additional Government Pleader.

ORDER

[Order of the Court was made by **K.K. SASIDHARAN, J.**]

The petitioner filed this writ petition to direct the respondents 1 and 2 not to evict him from the land in R.S. No. 72/2 at Avaniyapuram, Madurai, without following due process of law.

2. The petitioner is stated to be in possession of the land in question. The writ petition was filed with an apprehension that without issuing notice to the petitioner, eviction would be done by the Corporation.

3. The learned standing counsel for the Madurai Corporation, on instructions, submitted that notice would be issued to the petitioner before passing orders for eviction.



4. Since the Corporation has made it clear that before passing orders, notice would be issued to the petitioner, there is no further adjudication in the matter.

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5. The Writ Petition is disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

+1cc to Mr. T. S. Mohammed Mohideen, Advocate in Sr. No. 67590

ps/km

JS/SKN.RSK/SAR.3/4.8.2017/2P-2C

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