



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.16858 of 2017
and
W.M.P. (MD) No.13438 of 2017

S.Raja

.. Petitioner

Vs.

The Commissioner,
Aruppukkottai Municipality,
Virudhunagar District.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari to call for the Records pertaining to the Impugned Order Na.Ka.No.4692/2017/F1 dated 07.08.2017 passed by the Respondent and quash the same in so far as removal of the petitioner house portion alone.

For petitioner : Mr.R.Murugappan
For Respondent : Mr.N.Dilipkumar

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.The writ petitioner challenges the order dated 07.08.2017 issued by the respondent under sections 218, 362, 340, 344 of Tamil Nadu District Municipalities Act 1920.

3.According to the impugned order, the writ petitioner is in occupation of a dilapidated structure and that therefore they should remove the tiled Roof. It is also mentioned that the writ petitioner has committed encroachment of municipal land and therefore he must vacate the same.

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

4.This communication has not been preceded by any



appropriate show cause notice. Therefore, it is liable to be quashed. The matter is remitted to the file of the respondent with liberty to proceed afresh in accordance with law.

5. This Writ Petition is allowed. No costs. Consequently, connected W.M.P. (MD) No. 13438 of 2017 is closed.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Aruppukkottai Municipality,
Virudhunagar District.

+ 1 CC TO Mr. N. DILIP KUMAR, ADVOCATE IN SR No. 77020

VSG/RMK
TE/KK/SAR-II : 27/09/2017 : 2P/3C

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