



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11825 of 2013

and

M.P(MD)No.1 of 2013

L.Philomine

.. Petitioner

Vs.

1.The Commissioner,
Tiruchirappalli Municipal Corporation,
Corporation Office,
Trichy.

2.The Assistant Engineer,
Tiruchirappalli Municipal Corporation,
Ariyamangalam Division,
Palakkarai, Trichy.

3.Town Surveyor,
Trichy Municipal Corporation,
Ariyamangalam Division,
Palakkarai, Trichy.

4.Sripathy
(R - 4 is impleaded vide order
dated 10.07.2017)

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents herein, their men, servants, agents, officials or any one acting on their behalf from in any manner demolishing his compound wall and forcibly acquiring the dwelling house of the petitioner in RS.No.213/1A2 bearing Door No.3/3/114-C, Rose Garden, Louis Colony, East Ambikapuram, Trichy, without following due process of law.

For Petitioner : Mr.C.Padmaraj

For RR 1 to 3 : Mr.N.S.Karthikeyan

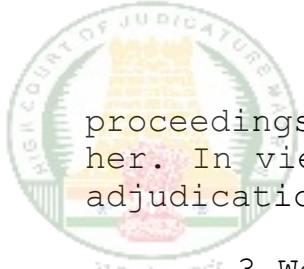
ORDER

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

The petitioner filed this writ petition to restrain the respondents 1 to 3 from evicting her from the property bearing Door No.3/3/114-C, Rose Garden, Louis Colony, East Ambikapuram, Trichy, without following due process of law.

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

2.The learned standing counsel for the corporation submitted that in case the petitioner is found to be an encroacher,



proceedings will be initiated after giving sufficient opportunity to her. In view of the said submission, there is no need for a further adjudication in this writ petition.

3. We make it clear that, in case, there is an act of encroachment, notice should be given to the petitioner before passing final orders for eviction.

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

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Tiruchirappalli Municipal Corporation,
Corporation Office,
Trichy.

2. The Assistant Engineer,
Tiruchirappalli Municipal Corporation,
Ariyamangalam Division,
Palakkarai, Trichy.

3. Town Surveyor,
Trichy Municipal Corporation,
Ariyamangalam Division,
Palakkarai, Trichy.

+1cc to Mr.C.PADMARAJ Advocate in SR. NO.67702
+1cc to Mr.N.S.KARTHIKEYAN Advocate in SR. No.67221
PS/SM
JS/JC/SAR.1/2.8.2017/2P-6C

W.P. (MD) No.11825 of 2013
24.07.2017