



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.[MD].No.9500 of 2013
and
M.P.(MD)No.1 of 2013

K.Veera Pathiran : Petitioner

Vs.

1. The Commissioner,
Trichy City Corporation,
Trichy.
2. The Assistant Commissioner,
Ariyamangalam Division,
Trichy City Corporation,
Trichy.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the impugned notice in Na.Ka.No.F1/1295/2013/F1/Ariya, dated 30.05.2013 on the file of the second respondent and quash the same as illegal.

For Petitioner : Mr.S.Rajasekar
For Respondents : Mr.N.S.Karthikeyan,
Standing Counsel for Corporation

O R D E R

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

The writ petitioner questions the order dated 30.05.2013 issued by the second respondent, directing the writ petitioner to remove the encroachment in question.

2. It is seen that the impugned order dated 30.05.2013 was not preceded by any prior notice. Therefore, on that ground, the impugned order dated 30.05.2013 is quashed and the matter is remitted to the file of the second respondent to proceed afresh in accordance with law.



3. The Writ Petition is allowed as indicated above. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Trichy City Corporation,
Trichy.
2. The Assistant Commissioner,
Ariyamangalam Division,
Trichy City Corporation,
Trichy.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 67364
+ 1 CC TO Mr.N.S.KARTHIKEYAN, ADVOCATE IN SR No. 67219

SML

TE/MR-KKR/SAR-I : 01/08/2017 : 2P/5C

Order made in
W.P.[MD].No.9500 of 2013 and
M.P.(MD)No.1 of 2013
Dated:24.07.2017
(1/2)