



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.9625 of 2013

and

M.P. (MD) Nos.1 and 2 of 2013

Abdul Subhan : Petitioner

Vs.

1.The Commissioner,
O/o. The Commissioner of Corporation,
Trichy City.

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

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice dated 30.05.2013 issued by the second respondent in Na.Ka.No.F1/1295/2013/F1/Ariya, and quash the same and consequently, direct the respondents to consider the petitioner's representation dated 13.06.2013.

For Petitioner : Mr.P.Suresh Kumar

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 petitions are closed.

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/True Copy/

Sd/-
Assistant Registrar(CS-I)

Sub Assistant Registrar

To

1.The Commissioner,
O/o. The Commissioner of Corporation,
Trichy City.

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

+1cc to Mr.N.S.KARTHIKEYAN, Advocate in SR. NO.67218
SML
JS/SKN.RSK/01.08.2017/2P-4C

**Order made in
W.P. [MD] .No.9625 of 2013
Dated:24.07.2017**