



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

W.P (MD) No.7804 of 2018
and
W.M.P (MD) No.7379 of 2018

R.Kandasamy

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Municipal Administration and
Water Supply Department,
St. George Fort,
Chennai - 600 009.

2.The District Collector,
Madurai District, Madurai.

3.The Commissioner,
Madurai Corporation,
Dr.Ambedkar Road,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent made Na.Ka.No.Mathi(M4) 21431/14, dated 26.02.2018 and 22.03.2018 and quash the same as devoid of merits and consequently direct the respondents not to interfere in the ownership of the petitioner pertaining to the property situated at Door No.28, West Chithirai Street, Madurai.

For Petitioner	: Mr.Ananth C.Rajesh
For RR 1 & 3	: Mr.R.Murali
For R - 2	: Mr.M.Jeya Kumar, Additional Government Pleader.

ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.)**



third respondent, dated 26.02.2018 and 22.03.2018 and to quash the same and consequently direct the respondents not to interfere in the ownership of the petitioner pertaining to the property situated at Door No.28, West Chithirai Street, Madurai.

2.The learned counsel appearing for the petitioner submitted that the petitioner has not so far given any reply to the notice, dated 22.03.2018 issued by the third respondent. Further, the learned counsel submitted that liberty may be given to the petitioner to submit a reply to the said notice and in such an event, the third respondent may be directed to consider the same and pass orders in accordance with law.

3.Mr.R.Murali, learned counsel appearing for the respondents 1 and 3 submitted that the petitioner may be directed to submit his reply within a time frame. In such an event, the third respondent may be directed to consider the same and pass orders in accordance with law.

4.Having regard to the submissions made on either side and also taking into account the limited prayer sought for in this Writ Petition, without expressing any opinion with regard to the merits of the case, we direct the petitioner to submit his reply to the notice, dated 22.03.2018 within a period of one week from today and on receipt of the same, the third respondent is directed to consider the same and pass final orders within a period of two weeks from the date of submission of the reply. Till such time, the respondents are directed to maintain status quo without taking coercive steps for demolishing the property of the petitioner.

5.With these observations, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary,
Municipal Administration and
Water Supply Department,
St. George Fort, State of Tamil Nadu,
Chennai - 600 009.

2.The District Collector,
Madurai District,



3.The Commissioner,
Madurai Corporation,
Dr.Ambedkar Road,
Madurai.

+1CC TO M/S.ANANTH C.RAJESH, ADVOCATE, SR NO.61961

W.P (MD) No.7804 of 2018
18.04.2018

ps

MS/SV-MMS/SAR-1/18.04.2018/3P.5C