



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.A. (MD) .No.734 of 2018

against

W.M.P (MD) .No.5987 of 2018

and

C.M.P (MD) No.4313 of 2018

Maripandian

... Appellant/Petitioner

Vs.

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The Commissioner,
Kadayanallur Municipality,
Kadayanallur, Tirunelveli District.... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act to set aside the orders passed by the Hon'ble Judge in WMP. (MD).No.5987 of 2018 in W.P.(MD).No.6135 of 2018, dated 22.03.2018.

Prayer in WMP(MD). 5987/ 2018 :

To grant an stay all further proceedings in pursuance of the impugned order passed by the 2nd respondent in Na.Ka.No.1583/2017/F1 dated 24/05/2017 and the consequential recover proceeding dated 13/03/2018 pending disposal of the above writ petition.

Prayer in WP(MD). 6135/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent made in his order in Na.Ka.No.1583/2017/F1 dated 24/05/2017 and the consequential recovery proceeding dated 13/03/2018 and quash the same as it is against the provision in section 83(1)(b) of the Tamilnadu District Municipalities Act, 1920 and consequently direct the respondents not to interfere in the affairs and administration of the Veriankoil Maravar Community Hall without due process of law within the period stipulated by this Honourable Court.

For Appellant

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

For Respondents

: Mr.Ananth C.Rajesh

: Mr.A.K.Baskara Pandian

Special Govt. Pleader

**JUDGMENT**

(Judgment of the Court was made by **M.DURAISWAMY, J.**)

Challenging the interim order passed in W.M.P.(MD). No.5987 of 2018 in W.P.(MD).No.6135 of 2018, dated 22.03.2018, the writ petitioner has filed the above writ appeal.

2.The learned Single Judge granted an order of interim stay with a condition that the petitioner deposits the entire arrears as on the date of passing of the order in six monthly equal installments, commencing from 1st of April 2018 and the other installments shall be paid on the first working day of every subsequent month. So that, the learned Single Judge has made it clear that the petitioner shall pay future rents regularly and if there is any default in paying monthly installments, the interim stay granted shall stand automatically vacated without further reference to this Court.

3.In the aforesaid circumstances of the case, we find that the conditional order passed by the learned Single Judge is perfectly correct. Therefore, we are not inclined to entertain the writ appeal, since there is no further clarification is required. Accordingly, the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The Commissioner,
Kadayanallur Municipality,
Kadayanallur, Tirunelveli District.

+ 1 cc TO Mr.Ananth C.Rajesh , Advocate in SR No. 64274

vs

AE/KKR/SAR2/16.05.2018/2P/4C

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W.M.P (MD) .No.5987 of 2018
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