



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.11.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**
AND

THE HONOURABLE MRS.JUSTICE **R.THARANI**

W.P.[MD].No.23342 of 2018

and

W.M.P (MD) No.21202 of 2018

Manjula

: Petitioner

Vs.

1.The Commissioner,
Trichirappalli City Municipal Corporation,
Trichirappalli District.

2.The Assistant Commissioner,
Trichirappalli City Municipal Corporation,
Ponmalai Division,
Trichirappalli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the order passed by the 2nd respondent herein in **என்பு, எண்.எப்1/7661/18(மான்)** dated 09.11.2018 and quash the same.

For Petitioner

: Mrs.R.Yamuna

For Respondents

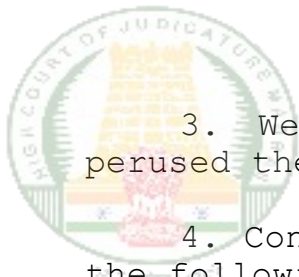
: Mr.N.S.Karthikeyan

O R D E R

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

This writ petition has been filed by the petitioner to quash the order passed by the second respondent dated 09.11.2018 directing the petitioner to remove the alleged encroachment made by the petitioner measuring 9.05 sq. mts., in RMS Colony, Anna Nagar, Trichy.

2. The grievance of the petitioner is that without issuing show-cause notice, directly final order has been passed. Hence, he has sought for quashing of the impugned order passed by the second respondent dated 09.11.2018.



3. We have heard the submissions made on either side and perused the materials available on record.

4. Considering the submissions made, we are constrained to pass the following order:

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The second respondent is directed to treat the notice dated 09.11.2018 as a show-cause notice and the petitioner is directed to give a reply within a period of fifteen days from the date of receipt of a copy of this order. On receipt of such reply, the second respondent is directed to pass appropriate orders on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

TO

1.The Commissioner,
Trichirappalli City Municipal Corporation,
Trichirappalli District.

2.The Assistant Commissioner,
Trichirappalli City Municipal Corporation,
Ponmalai Division,
Trichirappalli District.

- 1 CC TO Mr.N.S.KARTHIKEYAN , ADVOCATE IN SR No.96492.
- + 1 CC TO Mrs.R.YAMUNA , ADVOCATE IN SR No.96513.
-
- PM
- DS BK SAR2 19 12 2018 2P 5C

ORDER MADE IN
W.P (MD) No.23342 of 2018