



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.18848 of 2018

and

W.M.P.(MD) No.16674 of 2018

M.Pandi

... Petitioner

vs.

1.The Commissioner

Madurai Corporation

Anna Malligai

Madurai-625 002

2.The Assistant Commissioner

Division-1, Madurai Corporation

Anna Malligai

Madurai-625 010

3.The City Health Officer

Madurai Corporation

Anna Malligai

Madurai-625 002

4.R.Parthiban (LIC Agent)

S/o.C.Rajendran

P.T.R.Nagar, 2nd Street

Thendral Street

Poontha malli Nagar

Sellur, Madurai-2

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records of the second respondent's Notice dated 23.08.2018 under section 362 and 364 of Madurai Corporation Act, 1971 and quash the same as illegal, arbitrary.

For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.T.S.Mohammed Mohideen for R1 to R3

O R D E R

For the same cause of action, the petitioner has already approached this Court by filing W.P.(MD) No.14726 of 2018 and notice has been ordered in the said writ petition and the same is pending. In the said writ petition, the subject matter of challenge is the notice, dated 11.06.2018, issued by the third respondent herein, under Sections 362 and 364 of Madurai Corporation Act, 1971. When



the said writ petition is pending, as a consequence of the earlier impugned order, now the Assistant Commissioner, Madurai Corporation, has issued a further notice, dated 23.08.2018, under the same provisions of Madurai Corporation Act, 1971.

2. The petitioner herein has chosen to challenge the same by way of a separate proceedings in this writ petition. This Court does not appreciate the approach of the petitioner in approaching this Court with the separate writ petition, even in cases, where the consequential orders were passed in furtherance of the earlier order dated 11.06.2018. This writ petition is, therefore, cannot be entertained and it is always open to the petitioner to seek appropriate remedies in the pending writ petition. The present writ petition is prima facie appears to be a redundant exercise and therefore, the same cannot be entertained. Hence, the present writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Commissioner
Madurai Corporation
Anna Malligai
Madurai-625 002

2.The Assistant Commissioner
Division-1, Madurai Corporation
Anna Malligai
Madurai-625 010

3.The City Health Officer
Madurai Corporation
Anna Malligai
Madurai-625 002

+1CC TO MR.A.JEYARAM, ADVOCATE IN S.R.NO.81246.

+1CC TO MR.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR.NO.81263.

KRKD

DS SV SAR-4:28.09.2018: 2P/6C

W.P.(MD) No.18848 of 2018

and

W.M.P.(MD) No.16674 of 2018

30.08.2018