

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2019

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No. 2639 of 2013

and

M.P. No. 1 of 2013

The Pollachi Co-operative House Construction
Society Ltd.,
No.K.1579,
Represented by its Secretary R. Duraisamy,
No. 16, Kamaraj Road, Mahalingapuram,
Pollachi - 642 002. Petitioner

Vs

Pollachi Municipality,
Represented by its Commissioner,
Pollachi. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the Respondent's impugned notice dated 21.01.2013 in Na.Ka.No.A1/14129/1994 and quash the same.

For Petitioner : Mr. R. Singgaravelan
Standing Counsel
for Ms. Srividhya

For Respondent : Mr. G. Sankaran

ORDER

This writ petition has been filed by the Petitioner, praying for the issuance of Writ of Certiorari, to call for the records of the Respondent's impugned order dated 21.01.2013 in Na.Ka.No.A1/14129/1994 and quash the same.

2. In this writ petition the Petitioner has challenged the impugned order dated 21.01.2013 consequent to dismissal of S.A.Nos. 520 to 529 of 1998 etc batch, decided on 01.11.2011.

3. It is the case of the Petitioner that the said order has obtained by serving notice on a wrong society and therefore the Review Application is pending and that on 10.02.2003, the learned counsel also gave a letter stating that the petitioner has a good case on merits and that notice

was not served on the Petitioner. Since the Petitioner has also obtained an interim injunction restraining the Respondents-Pollachi Municipal Corporation from enforcing demand in terms of the impugned notice, the present writ petition is closed as the interest of the Petitioner is sufficiently protected in the review applications in R.A. Nos. 175 to 184 of 2019 which is pending against the order passed in S.A. Nos. 520 to 529 of 1998 etc batch.

4. The Writ Petition stands closed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

arb
To
The Commissioner,
Pollachi Municipality,
Pollachi.

+1cc to M/s.M.Srividhya , Advocate SR.No. 106674

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A.SK(03/02/2020)

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