

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9389 of 2013
and M.P. No.1 of 2013

Dr.V.Murugesan .. Petitioner

-vs-

1.The Pollachi Municipality,
rep. by its Commissioner,
Pollachi.

2.The Chairman,
Pollachi Municipality,
Pollachi. ... Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari calling for the records pertaining to the impugned final notice in Na.Ka.No.7311/2009/A1 dated 27.02.2013 issued by the first respondent and quash the same as illegal arbitrary and without jurisdiction.

For Petitioner:: Mr.D.Rajagopal

For Respondents:: Mr.G.Sankaran for R1

No appearance for R2

ORDER

The writ petition has been filed challenging the impugned final notice in Na.Ka.No.7311/2009/A1 dated 27.02.2013 issued by the first respondent.

2.Learned counsel appearing for the petitioner would submit that the above impugned notice has been issued to the petitioner to pay a sum of Rs.9,82,821/- within a period of seven days from the receipt of the impugned notice and as against the same, the petitioner has filed an Appeal in C.M.A. No.60 of 2009 before the learned Principal District Judge, Coimbatore and the same is pending. Learned

counsel appearing for the petitioner would further submit that unless the Appeal filed by the petitioner is disposed of in accordance with law, the matter cannot be proceeded further.

3.No counter affidavit has been filed by the respondents till date. Since the Appeal in C.M.A. No.60 of 2009 filed by the petitioner is pending for consideration, the impugned notice is set aside and the writ petition is disposed of giving direction to the learned Principal District Judge, Coimbatore to dispose of the above C.M.A. No.60 of 2009, on merits and in accordance with law expeditiously. Consequently, connected M.P. is closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Pollachi Municipality,
rep. by its Commissioner,
Pollachi.

2.The Chairman,
Pollachi Municipality,
Pollachi.

Copy to:

The Principal District Judge, Coimbatore

+1cc to Mr.Sankaran , Advocate SR.No. 87065

+1cc to Mr.Rajagopal , Advocate SR.No. 87029

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A.SK(26/11/2019)

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