



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

and

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

W.P. (MD)No.24975 of 2019

and

W.M.P. (MD)Nos.21553 and 21554 of 2019

V.Murugan

... Petitioner

Vs

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari by calling for the entire records pertaining to the impugned notice issued by the second respondent in Na.Ka.No.Msc/Package-6/18-19 dated 22.07.2019 and quash the same.

For Petitioner	: Mr.R.Anand
For R1	: Mr.S.Angappan, Government Advocate
For R2	: Mr.R.Murali

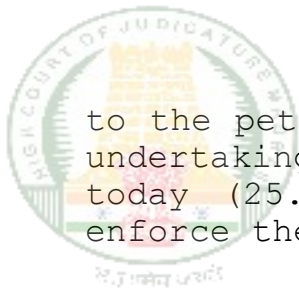
ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

The petitioner challenges the eviction notice issued by the respondent. We find there is absolutely no ground to quash the impugned notice as admittedly the petitioner is an encroacher.

2.The learned counsel for the petitioner after some arguments submitted that reasonable time shall be granted to the petitioner because the petitioner has no other place to reside.

3.Considering the fact that the petitioner is an encroacher, we direct the petitioner to file an unconditional affidavit before the respondent corporation undertaking to vacate and hand over the vacant premises and requesting reasonable time to be granted for the same. If such an affidavit is filed, the Commissioner of Madurai Corporation shall take into consideration of the relevant factors and sympathetic approach to the petitioner and grant reasonable time



to the petitioner to vacate and hand over the premises. If such an undertaking affidavit is not filed within a period of one week from today (25.11.2019), it is open to the respondent corporation to enforce the impugned notice.

4. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

pnn

To

The District Collector,
Madurai District,
Madurai.

+1 CC to M/s.R. MURALI, Advocate (SR-101008[F] dated 25/11/2019)
+1 CC to M/s.SPL GP (SR-101495[F] dated 26/11/2019)

W.P. (MD) No. 24975 of 2019

and

W.M.P. (MD) Nos. 21553 and 21554 of 2019

25.11.2019

SMA/11/12/19/2P/4C