



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) No. 6979 of 2020

and

W.M.P. (MD) No. 6406 of 2020

Annapoornam

... Petitioner

Vs.

1.The Commissioner,  
Tiruchirapalli City Corporation Office,  
Tiruchirapalli & District.

2.The Assistant Commissioner,  
Ponmalai Zone,  
Corporation Office,  
Tiruchirapalli & District.

3.Arokia Soosairaj

4.Amalorpava Mary

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings in Koppu No.F1/4473/2010 (Pon) dated 05.06.2020.

For Petitioner : Mr.K.Baalasundharam

For Respondents 1 & 2: Mr.Saji Bino  
Standing Counsel  
for Trichy Corporation

\* \* \* \* \*

**O R D E R**

[Order of the Court was made by **M.SATHYANARAYANAN, J.**]

By consent, the Writ Petition is taken up for hearing and disposed of by this order. In view of the order going to be passed in this Writ Petition, notice to respondents 3 and 4 is dispensed with.



2.The Petitioner claims to be the absolute owner of the property comprised in old Survey No.166/1B, New Survey No.16/B1/29 measuring East-West 57 feet on the Northern side, East-West 55 feet on the Southern side, North-South 36 feet on the Western side and North-South 34 feet on the Eastern side in Ponneripuram Village (Alanthoor Village), Tiruchirapalli Taluk, Tiruchirapalli District.

3.According to the petitioner, after the formation of Tiruchirapalli City Municipal Corporation, her property falls within Ward No.T, Block No.45, T.S.No.74, Door No.21A, 1st New Street, Ponneripuram (Alanthoor Village), Tiruchirapalli and patta was also granted as earlier as in the year 1982. The petitioner further claims that she had put up a tiled house and also a temporary construction even prior to the grant of patta and the said property is also subjected to statutory tax.

4.Learned counsel for the Petitioner would submit that without causing verification of the property and relevant records, the respondents 1 and 2 have erroneously issued notice under Section 258(1) of the Tiruchirapalli Municipal Corporation Act, 1994 and pray for appropriate orders.

5.This Court heard Mr. Saji Bino, the learned counsel for the Respondents 1 and 2 on the above submissions.

6.Though the petitioner prayed for a larger relief, this Court, without going into the merits of the case projected by the petitioner in this Writ Petition, in the facts and circumstances of the case, permits the petitioner to submit a detailed representation by enclosing relevant and authenticated documents within a period of three weeks from the date of receipt of a copy of this order and the respondents 1 and 2, upon receipt of the same, shall consider and dispose of the said representation on merits and in accordance with law and pass appropriate orders within a period of 8 weeks thereafter and communicate the decision taken to the petitioner. Till such time, the respondents 1 and 2 shall defer further decision in terms of the impugned notice dated 05.06.2020. It is also open to the respondents 1 and 2 to cause verification of the superstructure put up by the Petitioner to find out as to whether the said superstructure has been put up in accordance with the sanctioned plan or not and may also take appropriate action in accordance with law if any offending construction is made.



7.The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

Sd/-

Deputy Registrar(Accounts)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sj

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.The Commissioner,  
Tiruchirapalli City Corporation Office,  
Tiruchirapalli & District.
- 2.The Assistant Commissioner,  
Ponmalai Zone,  
Corporation Office,  
Tiruchirapalli & District.

**W.P. (MD)No.6979 of 2020**

**and**

**W.M.P. (MD)No.6406 of 2020**

**06.07.2020**

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