



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7003 of 2019 and
W.M.P.(MD)No.5583 of 2019

1. M.Saravanan
2. S.Hemalatha

... Petitioners

Vs.

1. The Commissioner,
Madurai Corporation,
Madurai - 625 002.
2. The Assistant Commissioner,
Zone No.4, West Marat Street,
Madurai - 1.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records connected with the reminder notice dated nil and consequential special notice Ass. No.115/081/02091 Old Ass No.115/61556 passed by the second respondent and quash the same as illegal and consequently to direct the respondents to consider the petitioner's representations dated 27.11.2018 and 14.02.2019 in accordance with law within the time stipulated by this Court.

For Petitioners	: Mr.R.Alagumani
For Respondents	: Mr.K.Govindarajan, Standing Counsel.

O R D E R

Heard the learned counsel appearing for the writ petitioners and the learned Standing counsel appearing for the respondents Corporation.

2. The case of the writ petitioners is that the property in question is used only as a residential building. The respondents have treated the same as a commercial building. It is seen that the petitioners have raised their objections. However, the respondents Corporation has not dealt with the same.

3. On this sole ground, the proceedings impugned in this writ petition stands quashed. This writ petition stands allowed. The matter is remitted to the file of the respondents. The respondents will issue fresh notice to the writ petitioners and



pass orders afresh in accordance with law. If the petitioners are aggrieved by the final orders passed by the respondents Corporation, they will only go before the statutory Tribunal and not once again invoke writ jurisdiction of this Court. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To:

1. The Commissioner,
Madurai Corporation,
Madurai - 625 002.
2. The Assistant Commissioner,
Zone No.4, West Marat Street,
Madurai - 1.

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SJ(CO)

TR(17.09.2020) 2P 3C