



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2020

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 11296 of 2017 and
W.M.P. (MD) No. 8682 of 2017

1. D.Charles
2. D.Jegan

... Petitioners

Vs.

Madurai Corporation,
Rep. by its Commissioner,
Anna Maligai,
Madurai District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order of Attachment warrant dated Nil on the file of the respondent and quash the same as illegal within the time period stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy
For Respondent : Mr. R.Murali,
Standing Counsel.

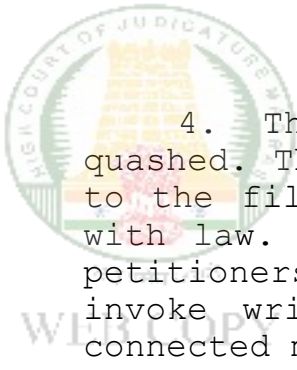
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O R D E R

Heard the learned counsel appearing for the petitioners and the learned Standing counsel appearing for the respondent Corporation.

2. The only allegation made by the petitioners' counsel is that the impugned attachment was issued without putting the petitioners on notice. Since the violation of the principles of natural justice is apparent, I am constrained to interfere.

3. The petitioners' counsel states that the petitioners would pay a further sum of Rs.50,000/- (Rupees Fifty Thousand only) towards their dues. This amount will be paid within a period of two weeks from the date of receipt of a copy of this order. The said undertaking is recorded.



4. The attachment impugned in this writ petition stands quashed. This writ petition stands allowed. The matter is remitted to the file of the respondent to pass orders afresh in accordance with law. It is made clear that as against the revised order, the petitioners will move only the statutory tribunal and not once again invoke writ jurisdiction of this Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To:

The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai District.

+1 CC to Mr.R.MURALI, Advocate SR-16435.
+1 CC to Mr.T.LAJAPATHI ROY, Advocate SR-16557.

W.P.(MD)No.11296 of 2017
09.09.2020

CS(16.09.2020) 2P 4C