



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.2007 of 2021 and
WMP(MD) No.1706 of 2021
(Through Video Conferencing)**

- 1.Visalatchi
- 2.Uma Maheswari
- 3.Mahalakshmi
- 4.Valliammal
- 5.Sathyapriya
- 6.Sangeetha
- 7.Sathyaraj
- 8.Kathiresan
- 9.Kathiresan
- 10.Kumaran
- 11.Veerammal
- 12.Dhanapackiam
- 13.Rakku
- 14.Pandiamma
- 15.Pandi
- 16.Meenatchi
- 17.Saleema
- 18.Kavitha
- 19.Mariammal
- 20.Arockia Rani
- 21.Ranakaliamman Kovil
- 22.Vijayalakshmi
- 23.Rajeswari
- 24.Mahalakshmi
- 25.Arockiaraj
- 26.Ponnalagu
- 27.Navaneetham
- 28.Suryamoorthy
- 29.Samsath
- 30.Nisha
- 31.Jansi Rani

: Petitioners

Vs.

1.The Chief Secretary
Secretariat,
St. George Fort, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Collector,
Madurai District.

3.The Commissioner
Madurai Corporation
Madurai.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus to call for the records relating to the impugned eviction notices dated 8.12.2020 under Sections 236, 256, 257, 258, 472, 473 & 503 of Madurai Corporation Laws issued by the 3rd respondent and quash the same as illegal and consequently forbear the respondents from evicting the petitioners from Ward No.17, Gandhiji Colony, Madurai Corporation and issue patta to the petitioners.

For Petitioners : Ms.A.Rajini

For Respondents : Ms.J.Padmavathi Devi for R1 & R2
Special Government Pleader

Mr.R.Murali for R3

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The writ petition has been filed challenging the impugned notice, by which, the petitioners' alleged encroachments are sought to be removed.

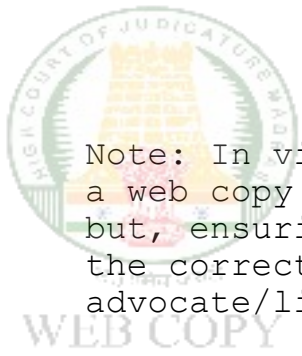
2.The learned counsel appearing for the Corporation submitted that in view of the order passed by the Division Bench in W.P.(MD) No.4651/2020 etc. batch dated 08.12.2020, coupled with the fact that the alleged encroachment area comes within the jurisdiction of the Public Works Department, as part of the Kirudhumal river, no action would be taken in pursuant to the impugned notice issued by the Corporation.

3. Recording the said submission, the writ petition stands closed. However, our order will not stand in the way of the Public Works Department to proceed in accordance with law. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/
Assistant Registrar(CS-II)

/True copy/

/ /2021
Sub Assistant Registrar(CS-)



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 Chief Secretary
Secretariat,
St. George Fort, Chennai.

2.The District Collector,
Madurai District.

3.The Commissioner
Madurai Corporation
Madurai.

+1 CC to THE SPECIAL GOVERNMENT PLEADER SR-5144[F] dated 15/02/2021

+1 CC to M/s.R.MURALI, Advocate (SR-5489[F] dated 16/02/2021)

Order made in
W.P.(MD)No.2007 of 2021
Dated: 12.02.2021

RR

PK/27.02.2021 : 3P/6C