



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.2553 of 2022

WEB COPY

A.1303 Madurai Mills Co-operative
Housing Society Ltd.,
Represented by its Liquidator,
O/o.Deputy Registrar (Housing)
Basker Complex,
Chinnachukkikulam
Madurai-2.

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Commissioner,
Madurai City Municipal Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the 2nd respondent and his men from interfering with peaceful possession and enjoyment of petitioner's Society vacant site in S.No.150/1 to an extent of 43 cent situated at Harveypatti, Thiruparankundram Village, Madurai District.

For Petitioner	: Mr.S.Kumar
For R1	: Mr.T.Amjad Khan Government Advocate
For R2	: Mr.S.Vinayak Standing Counsel

O R D E R

This writ petition has been filed seeking for a direction to forbear the second respondent from interfering with the petitioner's peaceful possession and enjoyment of the vacant site in S.No.150/1 to an extent of 43 cent situated at Harveypatti, Thiruparankundram Village, Madurai District.

2.As seen from the affidavit filed in support of this writ petition, a representation dated 20.11.2021 has been given by the petitioner with regard to the grievance raised in this writ petition.



3.The learned counsel for the second respondent, on instructions, would submit that the second respondent is willing to consider the petitioner's representation on merits and in accordance with law.

4.No useful purpose would be served, if this writ petition is kept pending, as no counter affidavit is also available on record.

5.To protect the interest of the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 20.11.2021, wherein the petitioner has requested the respondents not to interfere with his peaceful possession and enjoyment of the vacant site in S.No.150/1 measuring an extent of 43 cent situated at Harveypatti, Thiruparankundram Village, Madurai District, as according to him, they are the absolute owner of the aforementioned property and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner, including a personal hearing, if they so desire.

6.With the aforesaid direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Madurai District.

2.The Commissioner,
Madurai City Municipal Corporation,
Madurai.

+1 CC to M/s.SPL GP (SR-5051[F] dated 09/02/2022)

+1 CC to M/s.S.KUMAR, Advocate (SR-5068[F] dated 09/02/2022)

+1 CC to M/s.S.VINAYAK, Advocate (SR-4879[F] dated 08/02/2022)

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