



**W.P.(MD) Nos.22765 to 22774 &
22491 to 22499 of 2022**

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) Nos.22765 to 22774 & 22491 to 22499 of 2022
and

**W.M.P.(MD) Nos.16675 to 16683, 16908, 16910,
16912 to 16917, 16921 & 16923 of 2022**

W.P.(MD) No.22765 of 2022

Manjula

... Petitioner

Vs.

1.The Commissioner,
Trichy City Corporation,
Promenade Road, Cantonment,
Trichy-1, Trichy District.

2.The Assistant Commissioner,
Ward Committee Office-IV,
Trichy City Corporation,
Promenade Road, Cantonment,
Trichy-1, Trichy District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to No.F1/115/2020 Notice issued under Section 258 of Trichirapalli Corporation Act, 1994 on the file of the 2nd respondent, dated 07.09.2022, quash the same and further direct the 2nd respondent to consider the petitioner's explanation dated 10.08.2020.

In W.P.(MD) Nos.22765 to 22774 of 2022

For Petitioner : Mr.R.Sundar
For Respondents : Mr.R.Baskaran
Standing Counsel

In W.P.(MD) Nos.22491 to 22499 of 2022

For Petitioner : Mr.C.Vakeeswaran
For Respondents : Mr.S.P.Maharajan
Special Govt. Pleader for R1 & R4
: Mr.R.Baskaran
Standing Counsel for R2 & R3



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COMMON ORDER

[Common Order of the Court was made by R.MAHADEVAN, J.]

Challenging the eviction notice issued by the Assistant Commissioner, Trichy Cirty Corporation, through his proceedings in No.F1/115/2020, dated 07.09.2022, the petitioners have filed these writ petitions.

2. Heard Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for the official respondents and Mr.R.Baskaran, learned Standing Counsel for Trichy Corporation, takes notice for the respondents Corporation.

3. By consent of both parties, this Writ Petitions are taken up for final disposal at that admission stage itself.

4. It is the grievance of the petitioners that without considering the representations / explanations given by the petitioners, the Assistant Commissioner, Trichy Corporation has issued the impugned eviction notices and



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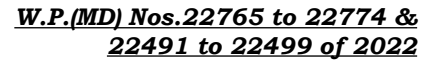
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hence, the impugned orders are liable to be set aside.

5. It is also the submissions of the learned counsel appearing for the petitioners that the properties in their occupation were favoured with loan assistance by the Corporation itself, by which, they constructed their dwelling units.

6. On the contrary, the learned Standing Counsel appearing for respondents Corporation submitted that despite several opportunities right from the year 2015, the petitioners have not filed their objections along with relevant documentary evidence as directed by the authorities and hence, the impugned eviction notices have been issued.

7. In view of the above submissions, we are not inclined to entertain these Writ Petitions. It is open to the petitioners to approach the authorities concerned and give representations, seeking any other alternative site if they chose. On receipt of the same, the authorities concerned shall consider such representations and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to all the parties concerned and by due process



Consequently, connected miscellaneous petitions are closed.

24.11.2022

To

1. The Commissioner,
Trichy City Corporation,
Promenade Road, Cantonment,
Trichy-1, Trichy District.
2. The Assistant Commissioner,
Ward Committee Office-IV,
Trichy City Corporation,
Promenade Road, Cantonment,
Trichy-1, Trichy District.



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

3.The District Collector,
Trichy District, Trichy.

4.The Tahsildar,
Trichy West, Trichy.

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