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W.P.No.454 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.454 of 2023 & WMP.No.408 of 2023

H.Murali

... Petitioner

Vs

1. The Commissioner,
Mannargudi Municipality,
Thiruvarur District – 614 001.

2. The Revenue Inspector,
Mannargudi Municipality,
Thiruvarur District – 614 001.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to Impugned Notice dated 19.12.2022 bearing Na.Ka.No.380/2014/A4 issued by the 1st respondent and to quash the same and to direct the respondents not to interfere with the petitioner's possession and enjoyment of the shop No.1 bearing Assessment No.202 situated at maha Mariamman Kovil Street, Mannargudi, Thiruvarur District – 614 001 without following due process of law.



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For Petitioner : Mr.R.Murali

For Respondents : Mr.P.Srinivas
Standing Counsel for the respondents

ORDER

This Writ Petition has been filed to quash the Impugned Notice dated 19.12.2022 issued by the 1st respondent and to direct the respondents not to interfere with the petitioner's possession and enjoyment of his shop without following due process of law.

2. The case of the petitioner is that the petitioner is a tenant under the respondent and he is regularly paying the rent. While so, the respondents have issued a notice to the petitioner to hand over the premises to the petitioner. Hence, the petitioner has filed the present Writ Petition. The impugned notice has been challenged on the ground that the notice has been issued without affording any opportunity to the petitioner.

3. During the pendency of this Writ Petition, the petitioner filed an affidavit to the effect that he is ready to pay the entire arrears and he



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require three months to vacate the premises, since his children are studying and it is end of the academic year.

4. Considering the affidavit filed by the petitioner and taking note of the submissions of the learned counsel appearing for the petitioner, the petitioner is permitted to stay in the premises up to 30.04.2023. As the petitioner has sought time to vacate the premises, no further Orders is required in this Writ Petition.

5. Accordingly, this Writ Petition is closed. Consequently, connected miscellaneous petition is closed. No costs.

28.02.2023

Index:Yes/No
Neutral Citation : Yes/No
vrc

To,

1. The Commissioner,
Mannargudi Municipality, Thiruvarur District – 614 001.
2. The Revenue Inspector,
Mannargudi Municipality, Thiruvarur District – 614 001.



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N.SATHISH KUMAR, J.

VTC

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