



W.P.(MD).Nos.703 and 1043 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.703 and 1043 of 2020

and

W.M.P.(MD).Nos.512, 830 and 831 of 2020

W.P.(MD).No.703 of 2020:

T.Anand Babu

... Petitioner

Vs.

1.Tiruchirappalli City Municipal Corporation,
Represented by its Commissioner / Special Officer,
Tiruchirappalli.

2.The Assistant Commissioner,
Tiruchirappalli City Municipal Corporation,
Srirangam Zone,
Tiruchirappalli.

3.R.Murugesan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the first respondent in Na.Ka.No. 1447/2012/A1 (Sri), dated 31.12.2019 and quash the same.



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For Petitioner : Mr.M.Saravanan

For R-1 and R-2 : Mr.J.Sri Prasad,
For M/s.R.B.Law Associates.

For R-3 : Mr.R.Murali

W.P.(MD).No.1043 of 2020:

R.Murugesan

... Petitioner

Vs.

1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

2.The Assistant Commissioner,
Srirangam Zone,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

3.Anand Babu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the first respondent made in Na.Ka.No: 1447/2012/A1/Sri dated 31.12.2019 and quash the same and consequently direct the respondents 1 and 2 to hand over the possession of the Shop No.10, NSB Road, Trichy, Bearing Assessment No. 200287.



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For Petitioner : Mr.R.Murali
For R-1 and R-2 : Mr.J.Sri Prasad,
For M/s.R.B.Law Associates.
For R-3 : Mr.M.Saravanan

COMMON ORDER

The Writ Petition in W.P.(MD)No.1043 of 2020 is filed by R. Murugesan to quash the order dated 31.12.2019 and consequently direct the respondents 1 and 2 to hand over the possession of the Shop No.10, NSB Road, Trichy, Bearing Assessment No. 200287.

2. The Writ Petition in W.P.(MD)No.703 of 2020 is filed by T. Anand Babu to quash the order dated 31.12.2019, passed by the first respondent.

3. Pending Writ Petition, the said R.Murugesan and T. Anand Babu had amicably settled their issue. To this effect, the said R.Murugesan has filed an undertaking affidavit and the same is extracted hereunder:

*“1. I am the petitioner herein and as such well aware of the facts stated hereunder. I filed the writ petition challenging the proceedings of Trichy Corporation dated 31.12.2019.
2. I respectfully submit that the dispute in the writ petition is relates to Shop No.10, NSB Road, Trichy. I have made*



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rival claim to include my name along with third respondent Anand Babu. Now I hereby undertake that I am relinquishing all my claims in respect of the above shop in favour of the third respondent. And I further undertake not to claim any rights herein after in respect of the above shop. Further, I withdrawn all the allegation made against all the respondents in the writ petition. I have no objection to allow the W.P.(MD).No.703 of 2020”

4. Hence, by confirming the license granted to said T.Anand Babu, this Court is inclined to quash the impugned order dated 31.12.2019 and accordingly the impugned order is quashed.

5. Recording the same, the Writ Petition in W.P.(MD).No.703 of 2020 is allowed and W.P.(MD).No.1043 of 2020 is closed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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S.SRIMATHY, J.

Nsr

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