



W.P.(MD)No.5385 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.5385 of 2023

and

W.M.P(MD)No.5048 of 2023

Adi Dravidar Uravinmurai Makkal
Through its represented by President,
Muthu,
S/o Periyapandi,
Old No.17/3, New No.15,
Colony Street,
Ramasampuram,
Aruppukottai,
Virudhunagar District.

: Petitioner

Vs.

1.The Commissioner of Corporation,
Office of the Corporation,
Aruppukottai Town,
Virudhunagar District.

2.Mahendran

3.Karuppasamy Pandian

4.Janaki Ramachandran

: Respondents



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PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari to call for the records pertaining impugned order passed by the first respondent vide his proceeding dated 08.03.2023 and quash the same as illegal.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.N.Dlipkumar
Standing Counsel

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J)

Challenge in this writ petition is the notice issued by the Commissioner of Aruppukottai Municipality under Sections 362, 313, 339, 340 of the Tamil Nadu District Municipalities Act, 1920.

2.Perusal of the above said provisions shows that those provisions do not deal with the encroachments at all. Hence, the notice is issued under complete irrelevant provision.



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3. On being pointed out, the learned counsel for the respondent Municipality would submit that the Municipality would be permitted to withdraw the issued notice and proceed in accordance with law.

4. Recording the submission of the learned counsel for the respondent Municipality, the Municipality is permitted to withdraw the impugned notice and take further action in accordance with law.

5. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] & [L.V.G., J.]
13.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn



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