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W.P.(MD)No.21442 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.21442 of 2017
and W.M.P.(MD) No.17708 of 2017

M.Anis Fayitha

... Petitioner

Vs.

- 1.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai.
- 2.The Assistant Commissioner,
Zone No.4,
Madurai Corporation,
Madurai.
- 3.Malliga
- 4.Nayeeb

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.Z4A3/12059/2017 dated 29.05.2017 and quash the same as illegal, consequently, direct the respondents No.1 & 2 to remove the encroachment in Madurai Corporation, Zonal No.4, Ward No.86, Chavadi 3rd Lane, Raajimar Street, Door No.SB527 to AL1201.



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For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.R.Murali
Standing Counsel for R1 & R2

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The order impugned dated 25.05.2017, passed by the Assistant Commissioner, Madurai Corporation, would reveal that survey was conducted pursuant to the directions issued by this Court in W.P.(MD) No.7156 of 2017 and the authorities found that the subject property is a patta land.

2. That being the findings in the impugned order, the petitioner, if aggrieved, is at liberty to approach the competent Civil Court of law in the manner contemplated.

3. With this liberty, the Writ Petition stands dismissed. No costs.
Consequently, connected Miscellaneous Petition is closed.

(S.M.S., J.) & (V.L.N., J.)
17.11.2023

NCC : Yes / No

Index : Yes / No

SJ

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