



W.P.(MD)No.29935 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.29935 of 2023

and W.M.P.(MD) Nos.25810 and 25813 of 2023

P.Velmurugan

... Petitioner

Vs.

The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned eviction notice issued by the respondent in his proceedings in Na.Ka.No.8119/2023/D1 dated 24.11.2023 and quash the same as illegal and consequently directing the respondent not to interfere the peaceful possession and enjoyment over the property in T.S.No.481, Block No.9, Ward No.05, Kumbakonam to an extent of 135.00 Sq.meter till the outcome of the civil suit in O.S.No.257/2023 on the file of Principal District Munsif Court, Kumbakonam.

For Petitioner : Mr.S.Saravana Kumar



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ORDER

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

The eviction notice, dated 24.11.2023, issued by the respondent Commissioner, Kumbakonam Municipality is sought to be quashed in this Writ Petition.

2. Admittedly a civil suit has been instituted by the petitioner and another in O.S.No.257 of 2023 on the file of the Principal District Munsif Court, Kumbakonam. The defendants entered appearance in the civil suit. That being so, the writ petitioner is at liberty to move an appropriate interlocutory application for the purpose of redressal of his grievances in the manner contemplated under the Code of Civil Procedure.

3. With this liberty, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

(S.M.S., J.) & (V.L.N., J.)
15.12.2023

NCC : Yes / No
Index : Yes / No
SJ



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V.LAKSHMINARAYANAN, J.

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