



W.P.No.9937 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

W.P.No.9937 of 2021
and
W.M.P. Nos.10551 and 10553 of 2021 in W.P. No.9937 of 2021

Muthulakshmi

... Petitioner

Vs.

1.The District Collector,
Thirupur, Thirupur District.

2.The Commissioner,
Udumalpettai Municipality,
Udumalpettai,
Thirupur District.

3.Ponnammal

... Respondents

Writ 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 impugned order of the second respondent in Na.Ka.No.2721/2020/F1 dated 05.01.2021 and quash the same, consequently forbear the second respondent from dispossessing,

Page Nos.1/5



WP.No.9937 of 2021

evicting and demolishing the petitioner's house in Survey No.53, T.S.No.54 situated at Door No.2, Ponnammal Layout, Velan Nagar, Udumlaipettai, Thiruppur District – 642 126.

For Petitioner : Mr.R.Rajeshkrishnan

For Respondents : Mr.M.S.Arasakumar,
Govt. Advocate for R1
Mr.M.Harish Kumar for R3
No appearance for R2

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Mr.R.Rajeshkrishnan, learned counsel for sole writ petitioner is before us. Mr.M.S.Arasakumar, learned Government Advocate for R1 (District Collector, Thirupur District) and Mr.M.Harish Kumar, learned counsel for R3 (Ms.Ponnammal, W/o.Mr.Palaniappan) are before this Court. R2 has entered appearance through a counsel (Mr.P.Srinivas and his co-counsel) and name of the counsel is duly shown in the cause list but there is no representation for R2 (Commissioner, Udumalaipettai Municipality) either in physical Court or on VC (video conferencing) platform (to be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court).



WP.No.9937 of 2021

3. Captioned WP is disposed of as withdrawn/closed *albeit* preserving all the rights and contentions of the writ petitioner to file a civil suit, if so desired and if so advised. Though obvious we make it clear that if a civil suit is filed, the Court concerned shall deal with the same on its own merits and in accordance with law untrammelled by this order. Consequently, captioned 'Writ Miscellaneous Petitions' ('WMPs' for brevity) are disposed of as withdrawn/closed. There shall be no order as to costs.

(M.S.,J.) (K.R.S.,J.)
04.11.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

- 1.The District Collector,
Thirupur, Thirupur District.
- 2.The Commissioner,
Udumalpettai Municipality,
Udumalpettai,
Thirupur District.

Page Nos.4/5



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W.P.No.9937 of 2021

**M.SUNDAR, J.,
and
K.RAJASEKAR, J.,**

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W.P.No.9937 of 2021

04.11.2024

Page Nos.5/5