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W.P.(MD) Nos.5113, 6303 and 6304 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)Nos.5113, 6303 and 6304 of 2024

and

W.M.P.(MD)Nos.4891, 5901 and 5905 of 2024

KR.Lakshminarayanan
V.Thailammai
M.Somasundaram

... Petitioner in W.P.(MD)No.5113 of 2024
... Petitioner in W.P.(MD)No.6303 of 2024
... Petitioner in W.P.(MD)No.6304 of 2024

-Vs-

The Commissioner,
Karaikudi Municipality,
Karaikudi, Sivagangai District.

... Respondent in all W.Ps.

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in the impugned orders in Na.Ka.Nos.277/2024/F1, 275/2024/F1, and 276/2024/F1, dated 23.02.2024, 28.02.2024 and 28.02.2024 respectively and quash the same.

For Petitioner : Mr.K.Chellapandian,
for Mr.P.Arun Jayatram
(in W.P.(MD)No.5113 of 2024)



W.P.(MD) Nos.5113, 6303 and 6304 of 2024

For Petitioner : Mr.P.Athimoolapandian
(in W.P.(MD)Nos.6303 and 6304 of 2024)
For Respondent : Mr.D.Venkatesh
(in all W.Ps.)

COMMON ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

After making elaborate arguments by both parties, the learned Senior Counsel appearing for the petitioners specifically pointed out that the properties in Survey Nos.429/1B1A, 429/1A and 429/1B1A belong to the petitioners, whereas in the notices dated 24.01.2024 served to the petitioners, the survey numbers are mentioned as T.S.No.1525, 1587 and 1587. Therefore, there is a discrepancy in the aforesaid survey numbers. Hence, they have filed these Writ Petitions.

2.The learned counsel appearing for the respondent Municipality fairly stated before this Court that there is a discrepancy in the aforesaid survey numbers and therefore, he has not pressed into service of the said notices and seeks permission of this Court to recall the notice and issue fresh notice.



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3. Recording the said submission made by the learned counsel for the respondent Municipality, these Writ Petitions are disposed of with a direction to the respondent to recall the notices dated 24.01.2024 and issue fresh notice to the petitioners and proceed in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [R.V., J.]
18.03.2024

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

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Note: Issue order copy on 20.03.2024.

To

The Commissioner,
Karaikudi Municipality,
Karaikudi, Sivagangai District.



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AND

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