



W.P.(MD)No.10229 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10229 of 2024

C.Robindson

... Petitioner

Vs.

The Commissioner,
Nagercoil Corporation,
Kanyakumari District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to grant further two weeks' time to comply the order passed in Na.Ka.No.F1/01/2024 dated 15.04.2024 to the petitioner with the assistance of jurisdictional police.

For Petitioner : Mr.R.Anand

For Respondent : Mr.F.Deepak,
Standing Counsel.

ORDER

Heard both sides.



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2.The petitioner is the owner of the petition mentioned building. It is stated that it has become old and dilapidated. The Commissioner, Nagercoil Corporation has issued demolition notice under Section 136 of the Tamil Nadu Urban Local Bodies Act, 1998. The petitioner has come to this Court seeking two more weeks for carrying out the demand set out in the notice dated 15.04.2024. The petitioner is granted the said time.

3.The petitioner can carryout the demolition of the said building within a period of two weeks from today ie., 25.04.2024. It is stated that one Murugan has raised claim that he is the erstwhile tenant. The direction now passed should not affect the said Murugan. Extension of time now granted in favour of the petitioner to enable the petitioner to demolish the building within two weeks from today cannot operate to the prejudice of said Murugan. If the said Murugan challenges the said notice dated 15.04.2024 issued by the respondent, it shall be considered independently on its own merits.

4.This writ petition is disposed of accordingly. No costs.

25.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 29.04.2024.



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G.R.SWAMINATHAN, J.

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