



W.P.(MD) No.23253 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.23253 of 2024
and
W.M.P.(MD)No.19696 of 2024**

N.Rethinam

... Petitioner

-VS-

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Kumbakonam Taluk, Kumbakonam,
Thanjavur District.

3.The Commissioner,
Kumbakonam Municipality,
Kumbakonam, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to impugned notice dated 28.08.2024 in Na.Ka.No.8677/2021/D1, issued by the third respondent and quash the same as illegal.

For Petitioner	: Mr.D.Venkatachalam
For Respondents 1 & 2	: Mr.S.P.Maharajan Special Government Pleader
For Respondent 3	: Mr.M.Rajarajan Standing Counsel



W.P.(MD) No.23253 of 2024

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents 1 and 2. Mr.M.Rajarajan, learned Standing Counsel takes notice for the respondent No.3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2.The challenge in the Writ Petition is to the eviction notice issued by the Kumbakonam Corporation.

3.Finding that the procedure prescribed under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, has not been followed, we have quashed several such notices and one such order was made in W.P.(MD)No. 21811 of 2024, dated 12.09.2024.

4.In view of the same, the Writ Petition stands allowed. The impugned order is quashed. The Corporation will be at liberty to proceed afresh in accordance with law. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

30.09.2024

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



WEB COPY



W.P.(MD) No.23253 of 2024

To

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Tahsildar,
Kumbakonam Taluk, Kumbakonam,
Thanjavur District.
- 3.The Commissioner,
Kumbakonam Municipality,
Kumbakonam, Thanjavur District.



WEB COPY



W.P.(MD) No.23253 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

W.P.(MD) No.23253 of 2024

30.09.2024