



W.P.(MD) No.23103 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2024

CORAM:

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

W.P.(MD) No.23103 of 2024

and

W.M.P.(MD)No.19585 of 2024

M.Baskaran

... Petitioner

-VS-

State Rep. By,
The Commissioner,
Kumbakonam Corporation,
Kumbakonam,
Thanjavur District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned eviction notice passed by the respondent vide his proceedings in Na.Ka.No. 8119/2023/T1, dated 28.08.2024 and quash the same as illegal.

For Petitioner

: Mr.S.Sankar

For Respondent

: Mr.M.Rajarajan

Standing Counsel

ORDER

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

Mr.M.Rajarajan, learned Standing Counsel takes notice for the



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respondent. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2.The challenge is to the final notice issued under Section 128(1) of the Tamil Nadu Urban Local Bodies Act, 1998, dated 28.08.2024.

3.We find that the procedure as laid down under Section 128(1) has been followed meticulously.

4.The learned counsel for the petitioner would submit that the house is situated in Survey No.738 not in Survey No.732/2. Both Survey Nos.738 and 732/2 are classified as water body.

5.Hence, we do not find any merit in the Writ Petition. The Writ Petition is therefore, dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

26.09.2024

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



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To

The Commissioner,
Kumbakonam Corporation,
Kumbakonam,
Thanjavur District.



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

Mrn

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