



WEB COPY



W.P.No.5568 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.No.5568 of 2025

and

W.M.P.No.6147 of 2025

K.Kaliammal

W/o.Kuppusami Gounder

...Petitioner

Vs

The Commissioner
Namakkal Corporation
Namakkal.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the entire records pertaining to the impugned order passed by the respondent in Na.Ka.12/2025/F1 dated 28.01.2025 and quash the same by considering the petitioner's representation dated 04.02.2025.

For Petitioner	:	Mr.R.Vivek
For Respondent	:	Mr.V.Ravi
		Special Government Pleader

Page Nos.1/7



W.P.No.5568 of 2025

WEB COPY

ORDER

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

Read this in conjunction with and in continuation of earlier proceedings / order dated 18.02.2025 made in the captioned WP which reads as follows:

'IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18-02-2025
CORAM
THE HONOURABLE MR JUSTICE M. SUNDAR
AND
THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI

WP No. 5568 of 2025
and WMP No. 6147 of 2025

K.Kaliammal
W/o.Kuppusami Gounder
No.39 North 2nd Street,
Sandhapettaipudur, Namakkal. .. *Petitioner(s)*

Vs

The Commissioner
Namakkal Corporation, Namakkal. .. *Respondent(s)*

WMP NO. 6147 of 2025

K.Kaliammal



W.P.No.5568 of 2025

WEB COPY

*W/o.Kuppusami Gounder
No.39 North 2nd Street,
Sandhapettaipudur, Namakkal.*

.. Petitioner(s)

Vs

*The Commissioner
Namakkal Corporation, Namakkal.*

.. Respondent(s)

For Petitioner(s): Mr.R.Vivek

*For Respondent(s): Mr.V.Ravi
Special Government Pleader*

ORDER

(Order of the Court was made by the Hon'ble M.Sundar J.)

Mr.R.Vivek, learned counsel on record for writ petitioner submits that a 'notice dated 28.01.2025 under Section 128 of 'The Tamil Nadu Urban Local Bodies Act, 1998 (Act 9 of 1999)' (hereinafter 'TNULB Act' for the sake of convenience and clarity)' {hereinafter 'said notice' for the sake of brevity} was issued, it was served on the writ petitioner on 03.02.2025, on the very next day i.e., 04.02.2025 writ petitioner sent a representation, this 04.02.2025 representation has been received by the sole respondent on 06.02.2025 but without passing orders vide proviso to Section 128(1)(b) of TNULB Act, the respondent has now commenced demolition is learned counsel's say.

2. For convenience, we are giving the dates and events in the form of a tabulation:

<i>Sl.No.</i>	<i>Date</i>	<i>Event/Description</i>
<i>1</i>	<i>28.01.2025</i>	<i>Respondent's notice under Section 128 of TNULB Act</i>
<i>2</i>	<i>03.02.2025</i>	<i>Aforesaid Section 128 notice served on the writ petitioner</i>



WEB COPY



W.P.No.5568 of 2025

Sl.No.	Date	Event/Description
3	04.02.2025	<i>In response to Section 128 notice, writ petitioner sent a response/representation</i>
4	06.02.2025	<i>Aforementioned 04.02.2025 representation/response of writ petitioner received by the respondent</i>
5	12.02.2025	<i>Captioned writ petition was filed</i>

3. Issue notice.

4. Mr.V.Ravi, learned Special Government Pleader, who accepts notice for sole respondent, requests for a short accommodation to get instructions, more particularly specific instructions on whether orders under proviso to Section 128(1)(b) of TNULB Act have been made by the respondent.

5. List day-after-tomorrow in the Admission Board i.e., Motion List . In the interregnum, let status-quo as of today qua WMP prayer be maintained.

List in the Admission Board i.e., Motion List but under the cause list caption 'NOTICE REGARDING ADMISSION' on 20.02.2025.'

2. Aforementioned proceedings shall now be read as an integral part and parcel of this order. This means that short forms, short references and abbreviations used in the earlier proceedings / order will continue to be used in the instant proceedings also.



W.P.No.5568 of 2025

WEB COPY 3. Adverting to earlier proceedings, more particularly paragraph No.4 thereat, Mr.V.Ravi, learned Special Government Pleader, on instructions submits that orders under proviso to Section 128(1)(b) of TNULB Act have not been made by respondent. Learned State Counsel, further submits on instructions that orders under proviso to Section 128(1)(b) of TNULB Act will be made as expeditiously as the official business of respondent would permit but in any event, within three weeks from today i.e., on or before 14.03.2025. This submission is recorded.

4. The order to be made by respondent under proviso to Section 128(1)(b) of TNULB Act by considering writ petitioner's response dated 04.02.2025 (received by respondent on 06.02.2025) shall be served on writ petitioner under due acknowledgement within five working days from the date of order.

5. Further coercive action (if any and if that be so) will be subject to and depending on orders to be made by respondent.

Page Nos.5/7



W.P.No.5568 of 2025

WEB COPY

Captioned WP disposed of in the aforesaid manner. Consequently, Writ Miscellaneous Petition is disposed of as closed. There shall be no order as to costs.

[M.S.,J.]

21.02.2025

[K.G.T.,J.]

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

To

The Commissioner
Namakkal Corporation
Namakkal.

Page Nos.6/7



WEB COPY



W.P.No.5568 of 2025

M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

W.P.No.5568 of 2025

21.02.2025

Page Nos.7/7