



W.P.(MD) No.5412 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.02.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.5412 of 2025

and

W.M.P.(MD)No.3962 of 2025

Gopalakrishnan

... Petitioner

-Vs-

1.The District Collector,  
Madurai District, Madurai.

2.The Commissioner,  
Madurai Corporation,  
Tallakulam, Madurai City.

3.The Assistant Commissioner,  
Madurai Corporation,  
Division-5, West, Thiruparankundram,  
Madurai City.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in M5E3/007528/2024, dated 04.02.2025 passed by the 3<sup>rd</sup> respondent and quash the same as unconstitutional and arbitrary.



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For Petitioner : Mr.S.Muniyandi  
For R1 : Mr.S.S.Madhavan,  
Additional Government Pleader  
For R2 & R3 : Mr.P.Anbunithi,  
Standing Counsel

### **ORDER**

**[Order of the Court was made by *J.NISHA BANU, J.*]**

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

2.The eviction notice issued by the 3<sup>rd</sup> respondent dated 04.02.2025 is under challenge in this Writ Petition.

3.Heard Mr.S.Muniyandi, learned counsel for the petitioner, Mr.S.S.Madhavan, learned Additional Government Pleader, who takes notice for the 1<sup>st</sup> respondent, Mr.P.Anbunithi, learned Standing Counsel, who takes notice for the respondents 2 and 3 and perused the materials available on record, particularly, the impugned notice of the 3<sup>rd</sup> respondent dated 04.02.2025.



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4. On perusal, this Court is of the view that the impugned notice is bereft of any particulars. Therefore, on this ground, the same is liable to be set aside, accordingly, it is set aside. This Writ Petition is allowed with a direction to the 3<sup>rd</sup> respondent to issue fresh notice to the petitioner by stating all the particulars, for which, the petitioner shall give his reply. On receipt of such reply, the 3<sup>rd</sup> respondent is directed to pass appropriate orders on its own merits and in accordance with law. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

**[J.N.B., J.] & [S.S.Y., J.]**  
**28.02.2025**

NCC : Yes / No  
Index : Yes / No

*Yuva*

To

1. The District Collector,  
Madurai District, Madurai.
2. The Commissioner,  
Madurai Corporation,  
Tallakulam, Madurai City.

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**AND**

**S.SRIMATHY, J.**

*Yuva*

3.The Assistant Commissioner,  
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