



W.P.(MD)No.6151 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.6151 of 2025
and
W.M.P.(MD)Nos.4507 and 4510 of 2025

B.Soundarammal

...Petitioner

-Vs-

1.The District Collector,
Karur District, Karur.

2.The Corporation Commissioner,
Karur District, Karur.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent vide his proceedings in Na.Ka. No.7943/2012/Ep1 dated 24.02.2025 and quash the same as illegal and consequently direct the 2nd respondent to grant 15 days time to the petitioner for submitting her reply along with supporting relevant documents by considering petitioner's representation dated 25.02.2025.

For Petitioner

: Mr.H.Mohammed Imran
for M/s.Ajmal Associates



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For R1 : Mr.J.Ashok
Additional Government Pleader
For R2 : Mr.K.Balasubramanian

ORDER

(Order of the Court was made by **S.SRIMATHY, J.**)

This Writ Petition is filed challenging the order of eviction passed by the second respondent vide his proceedings in Na.Ka. No.7943/2012/Ep1 dated 24.02.2025 and consequently, to direct the 2nd respondent to grant 15 days time to the petitioner for submitting her reply along with supporting relevant documents by considering petitioner's representation dated 25.02.2025.

2.The case of the petitioner is that the petitioner is running a shop in the petition mentioned property for over a period of 75 years. While so, the Corporation directed the petitioner to vacate the premises alleging unauthorized occupation. Hence, the petitioner earlier filed W.P.(MD)No.27033 of 2023. This Court by an order dated 09.11.2023 directed the respondent authorities to issue show cause notice and then conclude the proceedings within a time frame. Pursuant to the said direction, the second respondent issued a show cause notice on 14.11.2023. The petitioner has also filed his reply seeking an opportunity of personal hearing. However, the second respondent, without affording an



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opportunity of personal hearing, has passed the order of eviction. Hence, the petitioner has filed this writ petition.

3. Admittedly, the order of eviction has been passed without affording an opportunity of hearing to the petitioner. On this sole ground, the impugned order of eviction is set aside. The petitioner is directed to appear before the second respondent on 28.03.2025 along with all relevant documents, if any. The second respondent shall consider the submissions made by the petitioner and pass a fresh order in accordance with law. It is also made clear that if the petitioner failed to appear before the second respondent on that date, the second respondent shall proceed to pass order based on the relevant records.

4. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B.,J.) (S.S.Y.,J.)
13.03.2025

Index: Yes/No
Internet : Yes/No
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and
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