



W.P.(MD)No.6995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.03.2025

CORAM:

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

W.P.(MD)No.6995 of 2025
and
W.M.P.(MD)Nos.5282 and 5283 of 2025

Subburaman

...Petitioner

-Vs-

The Commissioner,
Aranthangi Municipality,
Aranthangi,
Pudukkottai.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the impugned proceedings of the respondent in Na.Ka.No.6488/2018/F1 dated 07.02.2025 and quash the same.

For Petitioner	: Mr.V.Panneerselvam for Mr.R.Prasanna
For Respondent	: Mr.M.Ajmalkhan Additional Advocate General assisted by Mr.S.Kameswaran Standing Counsel



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ORDER

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(Order of the Court was made by **J.NISHA BANU, J.**)

Heard Mr.V.Panneerselvam, learned counsel appearing for the petitioner, Mr.M.Ajmalkhan, learned Additional Advocate General for respondent.

2.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner claims that the petitioner has constructed a building in the petition mentioned properties. Seeking to lock and seal the said property, one R.Varadharajan, who is none other than the friend of the petitioner's co-brother, has filed a writ petition before this Court on the ground that it is an unauthorized construction. This Court disposed of the said writ petition directing the authorities concerned to consider the representation of the petitioner therein and pass necessary orders. However, the authorities citing the direction issued by this Court, had issued the order to lock and seal the petition mentioned premises. The said order is put to challenge in this writ petition.



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4.The learned counsel for the petitioner submits that this Court in the writ petition filed by the friend of the petitioner's co-brother, had directed the authorities concerned only to consider the representation of the petitioner therein after giving opportunity of hearing to all the interested parties. However, the respondent without conducting any enquiry and without issuing any notice to the petitioner, had passed the order to lock and seal the subject premises.

5.The learned Additional Advocate General appearing for the respondent, on instructions, fairly submits that the respondent is ready to withdraw the order impugned in this writ petition and initiate the enquiry afresh after issuing notice to the petitioner and the petitioner in W.P.(MD)No.31047 of 2024, namely R.Varadharajan.

6.In view of the above submission, this Court directs the respondent to withdraw the order impugned in this writ petition forthwith and issue notice to the petitioner and the petitioner in W.P.(MD)No.31047 of 2024 afresh within a period of two weeks from the date of receipt of a copy of this order. On receipt of such notice, the petitioner herein and the petitioner in W.P.(MD)No.31047 of 2024 are directed to give their explanation along with relevant materials, if any, within a period of four (4) weeks from the date of receipt of notice. On such



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receipt, the respondent shall consider the same on its own merits, after providing opportunity of hearing including the personal hearing to the petitioner and R.Varadharajan, writ petitioner in W.P.(MD)No.31047 of 2024 and pass appropriate orders within a period of two (2) weeks therefrom.

7.With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

(J.N.B.,J.) (S.S.Y.,J.)
17.03.2025

Index : Yes/No
Internet : Yes/No
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To

The Commissioner,
Aranthangi Municipality,
Aranthangi, Pudukkottai.



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