



W.P.(MD)No.7774 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.03.2025

CORAM:

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

W.P.(MD)No.7774 of 2025
and
W.M.P.(MD)No.5897 of 2025

Suseela

...Petitioner

-Vs-

- 1.The District Collector,
O/o. District Collector Office,
Madurai District.
- 2.The Commissioner,
Madurai Corporation,
Madurai District.
- 3.The Assistant Commissioner,
West Zone-5, Madurai Corporation,
Madurai.
- 4.The Assistant Town Planning Officer,
West Zone-5, Madurai Corporation,
Madurai.

...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 notice in Kopu.No.Ma5Ee3/007589/2024 dated 13.02.2025 issued by the 3rd respondent and quash the same as illegal and



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consequently, direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment in S.No. 520/14, Thirupparankundram Taluk, Madurai District having an total extent of 1.50 Ares, situated at Ward No. 94, West Zone-V, Madurai Corporation.

For Petitioner	: Mr.S.Vadivelan
For R1	: Mrs.D.Farijana Ghoushia Special Government Pleader
For R2 to R4	: Mr.K.K.Kannan Standing Counsel

ORDER

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

Challenging the notice issued by the third respondent, the petitioner has filed this writ petition.

2.According to the petitioner, she had purchased the subject property. With regard to the extent of the property, there is a dispute and a civil proceedings is pending. The Advocate Commissioner appointed by the civil Court found that there are some discrepancies in the FMB and A Register. Hence, the petitioner had earlier filed a writ petition seeking to carry out necessary correction in the revenue records. This Court by an order dated 19.02.2025 had directed the Revenue Divisional Officer to conduct an enquiry after affording an opportunity to the petitioner as well as to the rival party and pass orders within a period of 12 weeks from the date of receipt of a copy of that



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order. However, without providing any opportunity to the petitioner and without conducting proper survey in the subject property, the third respondent had passed the present impugned order in the name of the petitioner's sons in violation of the earlier order passed by this Court.

3. Admittedly, earlier this Court had directed the respondents to conduct enquiry and pass orders after affording opportunity to the petitioner as well as the rival claimant. However, the present impugned notice is issued without regard to the orders of this Court. On this sole ground, the order impugned in this writ petition is set aside. The respondents are directed to comply with the order passed by this Court in W.P.(MD)No.3335 of 2025 dated 19.02.2025. Depending upon its outcome, the respondents are directed to take appropriate action in accordance with law.

4. Accordingly, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (S.S.Y.,J.)
21.03.2025

Index : Yes/No
Internet : Yes/No
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