



W.P(MD)No.12894 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.12894 of 2018
and
W.M.P(MD)No.11787 of 2018**

M.Mariappan

... Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice singed by the respondent on 21.05.2018 and quash the same consequently direct the respondent not to interfering into the petitioner peaceful living on the petitioner's house situated at No.173-Theni Main Road, Virathipathu, Madurai District.

For Petitioner : Mr.H.Velavadhas

For Respondent : Mr.S.Vidhyasagar
Standing Counsel



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ORDER

Heard both sides.

2.The Commissioner of Madurai Corporation issued the impugned eviction notice against the petitioner herein. Challenging the same, this Writ Petition came to be filed.

3.The eviction notice reads that the petitioner has encroached on the Kirudhumal river.

4.The learned counsel appearing for the petitioner states that the petitioner has been selectively targeted.

5.The petitioner has not placed even an iota of material indicating his right over the petition mentioned property. Mere occupation and payment of electricity bill will not come to the petitioner's rescue. We, therefore, hold that interference with the impugned notice is not warranted. However, we direct the respondent to liaison with officials of PWD/WRD and take all possible efforts to clear all the encroachments on the Kirudhumal river. We grant 6 months



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time to the respondent to carry out the aforesaid exercise. As and when the corporation officials request the jurisdictional Police to extend their aid, the request shall be scrupulously complied with for this purpose.

6. With the aforesaid direction, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
06.03.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

The Commissioner,
Madurai Corporation,
Madurai.



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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