



W.P.(MD) No.17365 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.09.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.17365 of 2017

G.Manimegalai

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Commissioner,
Sivagangai Municipality,
Sivagangai,
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent in Na.Ka.No.571/2012/A1 dated 05.09.2017 and quash the same and consequentially directing the respondents to pay compensation to petitioner for the illegal demolition of petitioner's stall and damaging of the articles used for her day to day business in her shop at Sivagangai Manamadurai Road, Sivagangai by considering petitioner's representation dated 09.11.2016 within the stipulated time as prescribed by this Court.



WEB COPY



W.P.(MD) No.17365 of 2017

For Petitioner : M/s.S.K.Pavithra
for Mr.A.Haja Mohideen

For R1 : Mrs.D.Farjana Ghoushia
Special Government Pleader

For R2 : Mr.J.Parekh Kumar
for Mr.P.Srinivas

ORDER

This writ petition is filed for the following relief:

“to call for the records of the 2nd respondent in Na.Ka.No. 571/2012/A1 dated 05.09.2017 and quash the same and consequentially directing the respondents to pay compensation to petitioner for the illegal demolition of petitioner's stall and damaging of the articles used for her day to day business in her shop at Sivagangai Manamadurai Road, Sivagangai by considering petitioner's representation dated 09.11.2016 within the stipulated time as prescribed by this Court.”

2. The order impugned in the writ petition, rejecting the application for paying compensation for the illegal demolition of the stall and articles in the shop, has been passed without any notice to the petitioner. Therefore, considering the fact that no opportunity has been



W.P.(MD) No.17365 of 2017

WEB COPY

given to the petitioner to explain his stand and as the impugned order is violative of principles of natural justice, the same is set aside and the matter is remitted back to the 2nd respondent. The 2nd respondent is directed to issue fresh notice to the petitioner and after affording an opportunity of personal hearing to submit his explanation, shall pass appropriate orders within a period of three (3) months from the date of receipt of the copy of the order.

3. In view of the above, this Writ Petition stands allowed. No costs.

10.09.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

gbg

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Commissioner,
Sivagangai Municipality,
Sivagangai,
Sivagangai District.



WEB COPY



W.P.(MD) No.17365 of 2017

P.T.ASHA, J.

gbg

W.P.(MD) No.17365 of 2017

10.09.2025