



W.P.(MD)No.28773 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.28773 of 2025

and

W.M.P(MD)No.22361 & 22363 of 2025

K.Sundarammal

.. Petitioner

Vs.

1.The Assistant Commissioner (Zone 3),
Madurai Corporation,
Arignar Anna Maaligai,
Madurai-625 020.

2.The Assistant Engineer,
TANGEDCO (Distribution/temple),
Madurai Town, Madurai.

3.The Commissioner of Police,
Madurai City.

4.The Inspector of Police,
C4. Thilagar Thidal Police Station,
Madurai City.

5.M.Navaneetha Krishnan

6.Gopalakrishna Kone Trust,
Rep. by its Trustee E.M.G.S.Arun Pothiraja.

.. Respondents



W.P.(MD)No.28773 of 2025

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 pertaining to the impugned notice issued by the 1st respondent in File No.M3D2/005500/25, dated 29.09.2025, quash the same as illegal, violating the principles of natural justice and the procedures contemplated under the Act, and consequently direct the respondents to follow due process of law.

For Petitioners : Mr.V.Balaji
For R1 : Mr.S.Vidhyasagar
For R2 : Mr.S.Deenadhayalan
Standing Counsel
For R3 & R4 : Mr.S.Prakash
Government Advocate(Crl.Side)
For R6 : Mr.N.Dilipkumar

ORDER

This writ petition has been filed for the following relief :

“to call for the records pertaining to the impugned notice issued by the 1st respondent in File No.M3D2/005500/25, dated 29.09.2025, quash the same as illegal, violating the principles of natural justice and the procedures contemplated under the Act, and consequently direct the respondents to follow due process of law.”



W.P.(MD)No.28773 of 2025

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2. The case of the petitioner is that Door No.37, North Chithirai Street, Madurai Town, Madurai Corporation Zone 3 belonging to the 6th respondent was leased out to the petitioner by way of two mortgage deeds dated 27.01.2005 and 18.12.2006. He is in possession and enjoyment of the property by doing his retail cloth business. The electricity charges was also paid by her and her adjacent tenant, namely P.Anand who is running a tailoring shop in the adjacent premises belonging to the 5th respondent. During the subsistence of the lease period, the respondents 5 and 6 started troubling the petitioner to vacate the premises illegally with the help of the respondents 1 to 4. In order to evict the petitioner, respondents 5 and 6 made a representation to the 1st respondent to demolish the building under the Tamil Nadu Urban Local Bodies Act, 1998. Pursuant to the same, on 29.09.2025, the 1st respondent issued notice to the 6th respondent demanding him and the petitioner to demolish the building within 7 days after getting prior permission. Challenging the same, this writ petition is filed.



W.P.(MD)No.28773 of 2025

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3. When the matter is taken up for hearing today, the petitioner has filed an undertaking affidavit and the same is extracted as follows :

“I submit that I hereby undertake to vacate the petition mentioned shop by 31.05.2026. Further I undertake to handover the shop in the present condition to the respondent without making any further damages and I undertook not to claim any damages from the 6th respondent trust and authorities in case of any untoward incident due to natural calamities.”

4. Recording the same, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

24.11.2025

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

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To

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Arignar Anna Maaligai,
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W.P.(MD)No.28773 of 2025

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W.P.(MD)No.28773 of 2025

P.T.ASHA, J.

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W.P.(MD)No.28773 of 2025

24.11.2025