



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P. No. 11768 of 2026

and W.M.P.No.12844 of 2026

M.Jayaramachandar
s/o.K.Manickam,
No.322, Indira Nagar,
Nanjundapuram Road
Coimbatore-641 038

..Petitioner(s)

Vs

The Commissioner of corporation
Coimbatore Corporation,
O/o.The Commissioner of Corporation,
Coimbatore-Post and District.

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the records of the proceedings made in Na.Ka. No.3535 / 2024/ H1.M on the file of the respondent dated 03.02.2026 and quash the same.

For Petitioner(s): Mr. D.Veerasekaran

For Respondent(s): Mr. Najeeb Usman Khan
Standing Counsel

**ORDER**

WEB COPY (Order of the Court was made by S.M.SUBRAMANIAM J.)

The notice issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, is under challenge in the present Writ Petition.

2. Admittedly, the petitioner has submitted his explanation on 13.02.2026. The grievance of the petitioner is that, before taking a final decision, the authority is attempting to evict the petitioner. It is needless to state that the procedures contemplated under Section 128 of the Tamil Nadu Urban Local Bodies Act, must be scrupulously followed by the authority. The statute mandates that any representation received within the prescribed time limit shall be considered by the authority or the officer concerned before passing final orders. Thus, the competent authority has to pass the final orders before initiating any enforcement action for the removal of encroachments.

3. In the present case, the petitioner has already submitted his representation. Thus, the respondent is directed to consider the same and pass final orders, and thereafter proceed with enforcement action, if any encroachment is identified.



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4. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (K.S.,J.)

26-03-2026

Index : Yes

Asi

To

The Commissioner of corporation
Coimbatore Corporation,
O/o.The Commissioner of Corporation,
Coimbatore-Post and District.



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S.M.SUBRAMANIAM, J.

AND

K.SURENDER, J.

Asi

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