



W.P(MD)No.16130 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16130 of 2019

and

W.M.P(MD)No.12822 of 2019

M.K.Abdul Khadhar Jailani

... Petitioner

Vs.

1.The Kodaikanal Municipality,
Represented by its
Commissioner,
Kodaikanal,
Dindigul District.

2.The Revenue Inspector,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from disturbing the peaceful possession of the petitioner's shop, namely, Iron Box Shop No.6, Tax Assessment No.5001, Moonjikkal Bus Stop, Kodaikanal without following due process of law



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in the light of order passed in W.P(MD)No.1474 of 2018 dated 08.03.2018 by this Court.

For Petitioner : Mr.R.Murugappan

For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed by a petty shop owner running Iron Box Shop No.6 at Moonjikkal Bus Stop, Kodaikanal seeking a Mandamus as against the respondent Municipality not to disturb his possession unless by due process of law.

2.According to the learned counsel appearing for the writ petitioner, the respondent Municipality, by demanding retrospective enhancement of rent, is attempting to evict the petitioner.

3.The learned Special Government Pleader appearing for the respondent Municipality submitted that from March 2022 onwards, the writ petitioner has not paid any rent to the Municipality. Therefore, the Municipality is entitled to evict him by following due process of law.



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4.Considering the above facts, the Writ Petition stands disposed of with the liberty to the respondent Municipality to follow due process of law, in case if they want to evict the writ petitioner. No costs. Consequently, connected miscellaneous petition is closed.

08.01.2026

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

To

1.The Commissioner,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.

2.The Revenue Inspector,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.



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R.VIJAYAKUMAR, J.

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