

ITEM NO.302

COURT NO.8

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 5875/2023

PRADHAN BABU & ORS.

Appellant(s)

VERSUS

NACHIMUTHU NAGAR KUDIYIRUPPOR NALA SANGAM & ANR. Respondent(s)

(FOR ADMISSION and IA No.65271/2022-EXEMPTION FROM FILING O.T. AND
IA No. 68875/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 16-05-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAHFor Appellant(s) Mr. S. Nagamuthu, Sr. Adv.
Mr. P. Soma Sundaram, AOR
Mr. Y. Arunagiri, Adv.

For Respondent(s) Mr. T. Harish Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

On an oral request, let Mayiladuthurai Municipality, Tamil Nadu through Municipal Commissioner be impleaded as respondent no.3 in this appeal.

On the last date, i.e. 05.09.2023, the following order was passed:

"Leave granted.

The appellants are granted six weeks' time to file additional documents along with an affidavit placing on record the copies of Original Layout Plan/Original Plan as submitted originally in the year 1978 and also produce the Bye-Laws.

For the said purpose, the appellants will apply to the concerned Municipality which will provide the necessary copies on payment of usual charges.

List the matter as a part-heard on 18th October, 2023 for further hearing.”

Mr. S. Nagamuthu, learned senior counsel appearing for the appellants, submits that on 10.09.2023, a request has been sent by registered post to the Municipal Commissioner of the said Municipality for providing copies of the original layout plan/original plan of the property in dispute along with two postal orders of Rs.10/- each. Copy of the said communication is submitted in Court and is taken on record.

According to Mr. Nagamuthu, learned senior counsel, the appellant(s) have not received any information in response to the said communication from the said Municipality. It is for this reason, this Court has directed to implead/array Mayiladuthurai Municipality as respondent no.3.

Let notice be sent to the newly added respondent, making it returnable on 31.07.2024.

Liberty is also granted to the appellants to serve notice through the standing counsel representing the said Municipality.

Registry to list this matter on 31.07.2024 if this Bench is available otherwise at 2:00 p.m. after obtaining due orders from Hon'ble the Chief Justice.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
COURT MASTER