



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.05.2015
CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. (MD) No. 8022 of 2015
and M.P. (MD) No. 1 of 2015

S.Marimuthu

... Petitioner

Vs.

1.The District Collector,
Trichy District.

2.The Tahsildar,
Thuraiyur.

3.The Panchayat Commissioner
(Venkadathanur Village),
Thuraiyur Taluk,
Trichy District.

4.The Panchayat President,
Venkadathanur Village,
Thuraiyur Taluk,
Trichy District.

5.Sundarraaj

6.Doraisamy

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 2 herein to remove the unauthorized constructions put by the community people headed by 5 and 6 respondents herein in Old Survey No.126/1, New Survey No.215/1, situated in Venkadathanur Village, Thuraiyur Taluk, Trichy District and pass such further or other orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner : Mr.AL.Kannan

For R1 : Mr.Karthikeyan
Government Advocate

For R3 & R4 : Mr.Gunaseelan Muthiah
Government Advocate

O R D E R

This petition has been filed seeking for issuance of Writ of Mandamus, directing the respondents 1 to 2 herein to remove the unauthorized constructions put by the community people headed by 5 and 6 respondents herein in Old Survey No.126/1, New Survey No.215/1, situated in Venkadathanur Village, Thuraiyur Taluk, Trichy District.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. By consent this Writ Petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, the private respondents namely 5 and 6 are effecting constructions in the petitioner's patta land. In this regard the petitioner placed reliance on the patta issued on 04.05.2015. With these facts the petitioner has sent a representation on 07.05.2015 and has filed this Writ Petition on 11.05.2015 without even waiting for a reasonable time for the authorities to take action.

5. The learned counsel for respondents 3 and 4, on instructions would submit that the patta land is the patta land of the petitioner and no planning permission has been granted by the Panchayat for putting up any construction in the said land.

6. In the light of the above, there shall be a direction to the second respondent to consider the representation of the petitioner dated 07.05.2015 within four weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner as well as the fifth and sixth respondents.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected M.P. (MD) No. 1 of 2015 is closed.

Sd/-

Vacation Officer

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector, Trichy District.

2. The Tahsildar, Thuraiyur.

3. The Panchayat Commissioner (Venkadathanur Village),
Thuraiyur Taluk, Trichy District.

4. The Panchayat President,
Venkadathanur Village,
Thuraiyur Taluk, Trichy District.

+1cc to Special Govt. Pleader SR.No. 25351

+1cc to Mr. J. Gunaseelan Muthiah, Advocate, SR.No. 25278

W.P. (MD) No. 8022 of 2015
and M.P. (MD) No. 1 of 2015
13.05.2015