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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.17408 of 2013

Ervadi Ananithu Samuga Nala Sangam
(Reg.No.68/2013)

Rep by its President,
Vettamanai Street,
Erwadi Dhargha Post,
Kadaladi Taluk,
Ramanathapuram District.

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep by its Principal Secretary,
Revenue Department,
Fort St., George, Secretariat,
Chennai 600 009.

2.The District Collector,
Ramanathapuram.

3.The Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.

4.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

5.Erwadi Panchayat,
Rep by its President,
Kadaladi Taluk, Ramanathapuram District.

6.I.Mohammed Ali Jinna,
Eradi Panchayat President,
Kadaladi Taluk,
Ramanathapuram District.

7.Ajmal Rahuman,
Panchayat Assistant,
Erwadi Panchayat,
Kadaladi Taluk,
Ramanathapuram District.



8.Sulthan
9.Amjath Hussain

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take action against the respondents 5 to 9 for demolishing the shopping complex constructed in S.No.502 of Ervadi Village, Ramanathapuram District and recover the cost of the construction from the respondents 5 to 9 and consequently construct new shopping complex in S.No.502 for the public use.

For Petitioner	: Mr.R.Subramanian
For Respondents 1-4	: Mr.M.Alagadevan, Special Government Pleader.
For 5 th Respondent	: Mr.G.Muthukannan
For 8 th Respondent	: Mr.V.Sitharanjandas
For 9 th Respondent	: Mr.T.Lajapathi Roy
For Respondents 6&7	: No appearance

ORDER

(Order of the Court was made by **R. SUDHAKAR, J.**)

The grievance of the petitioner appears to be that a shopping complex, constructed in S.No.502 in Ervadi Village, Ramanathapuram District was demolished and cost of the said construction should be recovered from the respondents 5 to 9.

2.The learned counsel appearing for the respondents 8 and 9 would submit that based on proper proceedings of the competent authority, the unauthorised construction was demolished and there is no illegality.

3.We do not inclined to go into such a dispute of fact in Public Interest. If the petitioner is having grievance he can approach competent civil Court for any damages or any other remedy.

4.With the above observation, this writ petition is closed. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar



To

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- 1.The Principal Secretary,
Government of Tamil Nadu,
Revenue Department,
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Chennai 600 009.
- 2.The District Collector,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
- 4.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

+1cc to Mr.R.Subramanian, Advocate Sr.No. 53646
+1cc to Mr.T.Lajapathi Roy, Advocate Sr.No.54099
+1cc to Mr.V.Sitharanjan Das, Advocate Sr.No.53711
+1cc to Spl.GOvernemnt Pleader Sr.No. 53991
mj
AA/NGM-SS/30.09.2015/3p-9C

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