

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.2141 of 2014
and M.P.No.1 of 2014

J.P.Shivakumar .. Petitioner

-vs-

- 1.Senthil Kumar Textiles,
Rep. By its Partners, K.Kumar,
S.K.Jayaraman, K.Sakthivel,
S.K.Vnekatramanan, K.Gopal.
- 2.The Chairman,
Dharmapuri Municipal Council,
Municipal Office, Dharmapuri 636 701.
- 3.The Commissioner,
Dharmapuri Municipality,
Municipal Office, Dharmapuri 636 701.
- 4.The Commissioner of Municipal
Administration, Municipal Administration
Dept., Ezhilagam Annex, 6th Floor,
Chepauk, Chennai 600 005. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 4th respondent to issue suitable directions to the 3rd Respondent take action under Section 216 of the Tamil Nadu District Municipalities Act in accordance with law and demolish the offending construction being carried on by the 1st respondent in the property in Plot No.20 and 21, D.No.10-A, Appavoo Nagar, 2nd Cross, Dharmapuri contrary to the building plan.

For Petitioner : M/s.C.Uma
For Respondents : Mr.P.Valliappan for R-1
: Mr.R.Vijayakumar
: Addl.G.P. for R-2
: Mr.B.Kesavan for R-3
: Mr.M.K.Subramanian,
Govt. Pleader for R-4

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Learned counsel for the third respondent / Municipality states that the construction being carried out by the first respondent is not in accordance with the sanction plan and the time period for construction has also elapsed, whereafter the first respondent moved an application for extension of time, which has not been examined as the construction is not in conformity with the sanction.

2.In view of the aforesaid, the third respondent will proceed in accordance with law, after notice to all concerned within a maximum period of three (3) months from the date of receipt of this order.

3.Writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2014 stands closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

sra

To

1.The Chairman,
Dharmapuri Municipal Council,
Municipal Office, Dhamrpuri 636 701.

2.The Commissioner,
Dharmapuri Municipality,
Municipal Office, Dharmapuri 636 701.

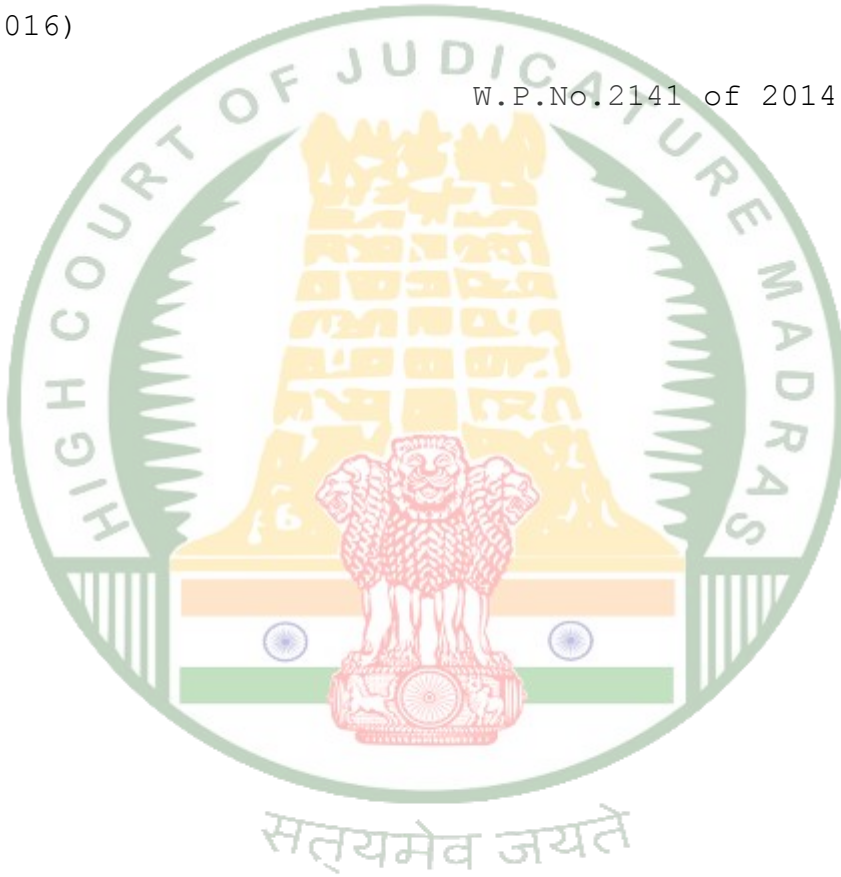
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3.The Commissioner of Municipal
Administration, Municipal Administration
Dept., Ezhilagam Annex, 6th Floor,
Chepauk, Chennai 600 005.

+1cc to Mr.C. Uma, Advocate, S.R.No.63651
+1cc to Mr.B. Kesavan, Advocate, S.R.No.63541
+1cc to Mr. P. Valliappan, Advocate Sr.No.63700

vsn (CO)
md (24/11/2016)

W.P.No.2141 of 2014



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