

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.24601 of 2013

and M.P.No.1 of 2013

1.D.Sivakumar
2.M.Selvaraj
3.V.Murugan

.. Petitioners

-vs-

1.The District Collector,
Tiruvarur.

2.The Director of Town and Country
Planning Authority, D.T.C.P. Complex,
Thiruchirapalli.

3.The Deputy Director,
Town and Country Planning Authority,
No.7, South Street, Ganapath Street,
Thanjavur-613 001.

4.The Assistant Director,
Panchayat Collector Office, Tiruvarur.

5.The Executive Officer,
Town Panchayat, Needamangalam
Tiruvarur District.

6.S.Rangasamy

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the Impugned Order dated 11.7.2011 made in Na.Ka. No.507/2011 A.2 passed by the 5th respondent and quash the same and direct the 5th respondent to take appropriate legal action in accordance with law against 6th respondent for put up construction of ground and 2nd floor to extent of 2.214 sq.ft. at R.S.No.26/40 in Door No.107 Mela Raja Veethi, Needamangalam Town, Tiruvarur District, without getting proper approval from the 3rd respondent.

For Petitioner : M/s.J.Jyothi
For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.
For RR 1 to 5
: Mr.G.Saravanan for R-6

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O R D E R

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

Learned counsel for the petitioner states that change of vakalat has been given. However, no other counsel is present.

2.On perusal of the record, with the assistance of learned counsel for parties, we find that the first petitioner is a vendor to the sixth respondent sixteen years ago and makes a grievance about the construction made on that property in a public interest litigation.

3.The aforesaid is clearly an abuse of process of law.

4.Writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2013 is also dismissed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The District Collector,
Tiruvarur.
- 2.The Director of Town and Country
Planning Authority, D.T.C.P. Complex,
Thiruchirapalli.
- 3.The Deputy Director,
Town and Country Planning Authority,
No.7, South Street, Ganapath Street,
Thanjavur-613 001.
- 4.The Assistant Director,
Panchayat Collector Office, Tiruvarur.

5.The Executive Officer,
Town Panchayat, Needamangalam
Tiruvarur District.

+1 cc to Govt.Pleader,sr.41594.

sr(co)
krd 5/8

W.P.No.24601of 2013



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