



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**
and
THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P (MD) No.20352 of 2016

P.PONNAIAH

.. Petitioner

Vs.

- 1 THE DISTRICT COLLECTOR ,
MADURAI DISTRICT, MADURAI.
- 2 THE COMMISSIONER,
ARINGAR ANNA MALIGAI, MADURAI CORPORATION,
MADURAI, MADURAI DISTRICT.
- 3 THE LOCAL PLANNING OFFICER,
O/O. THE LOCAL PLANNING AUTHORITY OFFICE,
MADURAI CORPORATION, MADURAI,
MADURAI DISTRICT.
- 4 THE MANAGING DIRECTOR,
IYLA ENCLAVES PLOT NO. 28 , T.M.NAGAR,
UTHANGUDI, MADURAI,
MADURAI DISTRICT.

.. Respondents

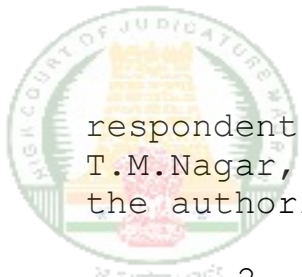
Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd respondent to take appropriate action the construction made by the 4th respondent in contraction of the building rules of the 2nd respondent in Survey No. 30 Plot No. 28 T.M.Nagar Madurai in the name and style of Iyla Enclaves by considering petitioners representation dated 23.03.2016 within the period that may be stipulated by this Court.

For Petitioner : Mr.S.Kiruba Vijay Anand
For Respondents : Mr.Ayiram K.Selvakumar
Government Advocate for R1
Mr.T.Balarathinakumar for R2&R3

ORDER

(Order of the Court was made by **S.NAGAMUTHU, J.**)

<https://hcservices.ecourts.gov.in/hcservices/>
The petitioner has come up with this litigation under the guise of public interest litigation alleging that the 4th



respondent has made construction in S.No.30, Plot No.28, T.M.Nagar, Madurai in violation of the building plan approved by the authority concerned.

2. We have heard the learned counsel for the petitioner, learned Government Advocate taking notice for the 1st respondent and the learned counsel for the respondents 2 and 3.

3. A perusal of the record would go to show that a pucca building with four storey has been completed long before. The learned counsel for the petitioner himself would submit that the building has been constructed in the year 2010. If really, the petitioner had any public interest, he would have prevented the building being constructed even in the year 2010 itself. After six years, he has come up with this petition under the guise of public interest, which gives rise to suspicion that the petitioner is trying to settle his personal score with the 4th respondent. There is no public interest at all involved in this matter. If the petitioner has got any grievance against the 4th respondent, it is for the petitioner to work out his remedy before the civil Court. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

- 1 THE DISTRICT COLLECTOR ,
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ARINGAR ANNA MALIGAI, MADURAI CORPORATION,
MADURAI, MADURAI DISTRICT.
- 3 THE LOCAL PLANNING OFFICER,
O/O. THE LOCAL PLANNING AUTHORITY OFFICE,
MADURAI CORPORATION, MADURAI,
MADURAI DISTRICT.

+1 cc to M/s.Kiruba Vijay Anand, Advocate in SR.No.63172

+1 cc to M/s.T.Balarathinakumar, Advocate in SR.No.63317

+1 cc to The Special Government Pleader in SR.No.63297

RR

CSL/SS-2/08.11.2016 :2P/7C

**ORDER MADE IN
W.P(MD) No.20352 of 2016
21.10.2016**