

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7250 of 2017

Padmavathi

.. Petitioner

-vs-

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Commissioner,
Mettupalayam Municipality,
Mettupalayam.

3. P.N. Rajan

4. Tamil Arasi

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 2nd respondent to remove the unauthorized construction made by the 4th respondent in view of the petitioner's representation dated 09.12.2016

For Petitioner : Mr.M. Guruprasad

For R1 and R2 : Mr.M.K. Subramanian,
Government Pleader

ORDER

(Order of the Court was made by
THE HON'BLE ACTING CHIEF JUSTICE)

Heard the learned counsel appearing for the petitioner and Mr.M.K.Subramanian, learned Government Pleader, who takes notice on behalf of respondents 1 and 2.

2 The writ petition has been filed seeking issuance of a Writ of Mandamus directing the 2nd respondent to remove the unauthorized construction made by the 4th respondent in view of the petitioner's representation dated 09.12.2016

3. According to the petitioner, the fourth respondent is a neighbour to her and she is putting up construction in violation of the permission granted by the second despondent and despite her representation dated 9.12.2016 submitted to the second respondent, no action has been taken.

4. It appears that third and fourth respondents had also lodged a police complaint in Crime No.7 of 2017 before the Mettupalayam Police Station.

5. According to the learned Government Pleader, a Civil Suit in O.S.No.255 of 2016 on the file of the District Munsif, Mettupalayam claiming the relief of permanent injunction as against respondents 3 and 4 herein is pending and therefore, the dispute between the neighbour's can be looked into in the civil suit.

6. Therefore, it is for the petitioner to seek for redressal of her grievance in the pending civil suit. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssk.

To

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Commissioner,
Mettupalayam Municipality,
Mettupalayam.

+1cc to Mr.Guruprasad, Advocate, S.R.No.18890
+1cc to the Government Pleader, S.R.No.18836

W.P.No.7250 of 2017

SSI (CO)
Eu 18.4.17