

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND  
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.3466 of 2017  
&  
W.M.P.No.3447 of 2017

S.Abdul Gafoor

... Petitioner

Vs.

1. The Commissioner  
Nagapattinam Municipality  
Nagapattinam.

2. The Town Planner  
Nagapattinam Municipality  
Nagapattinam.

3. S.Thameem Ansari

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing respondents 1 and 2 to demolish the unauthorized construction put up by the 3<sup>rd</sup> respondent at Door No.490/443, T.S.No.1873, Ward 5, Block 22, Main Road, Nagore.

For Petitioner

: Mr.N.A.Nissar Ahmed

For Respondents

: Mr.T.N.Rajagopalan  
Special Government Pleader  
for respondents 1 and 2

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ORDER

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

The petitioner as a Muthawalli had given a complaint to the Wakf Board, which is stated to be in the process of preferring proceedings before the Wakf Tribunal. However, in the meantime, it is alleged that the third respondent posthaste is carrying on construction for which the Commissioner/first respondent issued

notice on 19.10.2016, but no action has been taken in pursuance of the said notice.

2. The learned Special Government Pleader states that the first respondent will proceed in pursuance of the notice dated 19.10.2016 promptly and conclude the proceedings within one month of the receipt of the order.

3. The aforesaid statement is taken on record and the said respondent shall remain bound by the same.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.3447 of 2017 is closed.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The Commissioner  
Nagapattinam Municipality  
Nagapattinam.
2. The Town Planner  
Nagapattinam Municipality  
Nagapattinam.

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.9219  
+1cc to the Government Pleader, S.R.No.9436

सत्यमेव जयते

W.P.No.3466 of 2017

KK(CO)  
CA(21/02/2017)

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