

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.21012 of 2004
& W.P.M.P.No.25301 of 2004

R.Duraisamy

.. Petitioner

Vs.

1. The District Collector,
Collector Office,
Perambalur, Perambalur District.
2. The Revenue Divisional Officer,
Revenue Division Office,
Perambalur, Perambalur District.
3. The Tahsildar,
Perambalur, Perambalur District.
4. The Chairman,
Perambalur Municipality,
Perambalur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus, directing the respondents not to demolish any portion on petitioner shops situated at Perambalur District in Ariyalur registered District, Perambalur Taluk, Kaspas Perambalur in S.F.No.280/2 totally measuring 1000 Sq.Ft. surrounded on east road, west open site on south Suresh shop and on north road except due process of law.

For Petitioner : Mr.L.P.Balaji Ram
for Subash Associates
For Respondents : Mr.S.Diwakar, Spl.G.P.

ORDER

The learned counsel for the respondent submitted that he has no instructions from the respondent and he has filed a memo to that effect.

2. The case of the petitioner is that he has constructed a building as commercial shop, as per the approved plan and there is no violation of construction. But the 3rd and 4th respondents

have marked the front portion of the shop and trying to demolish the same.

3. The respondents are entitled to visit the site and assure that that the building has been constructed according to the plan. If any violation is pointed out by the respondents, the petitioner has no right to seek for regularisation, as he has made a statement before this Court that the building has been constructed in accordance with law. Hence, the illegal portion of the construction shall be demolished straightaway and the authorities can collect charges from the petitioner for demolition. If any other portion is damaged on account of demolition, the petitioner cannot blame the authorities or the staff, who is going to demolish the building.

4. With the above observation, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Collector Office,
Perambalur, Perambalur District.
2. The Revenue Divisional Officer,
Revenue Division Office,
Perambalur, Perambalur District.
3. The Tahsildar,
Perambalur, Perambalur District.
4. The Chairman,
Perambalur Municipality,
Perambalur District.

+1cc to Mr.S.DIWAKAR, Advocate, S.R.No. 80783
+1cc to the Government Pleader, S.R.No. 81461

W.P.No.21012 of 2004

TR(11/12/2017)