



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.19230 of 2015

and

M.P(MD)No.1 of 2015

A.Dharmaraj

.. Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Anna Maligai, Madurai.

2. The Assistant Commissioner,
Madurai Corporation,
West Zone, Madurai-10.

3. The Member Secretary,
Madurai Country and Local Town
Planning Authority, Madurai - 2.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from interfering with the petitioner's construction work in Door No.70, Kennet Hospital Road, Madurai-10 have been doing as per the building plan approval order dated 20.05.2010 besides directing the respondents 1 and 2 dispose of the petitioners representation dated 21.10.2012 submitted for renewal of building plan accorded by the respondents 1 and 2.

For Petitioner

: Mr.B.Prahalad Ravi

For Respondent No.1

: Mr.R.Prabhu Ramachandran

For Respondents 2 and 3

: Mr.S.Kumar,

Additional Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents not to interfere with the petitioner's construction work in Door No.70, Kennet Hospital Road, Madurai-10 and also to direct the respondents 1 and 2 to dispose of the



petitioner's representation dated 21.10.2012 seeking for renewal of building plan.

2.The case of the petitioner is that after getting permission from the first respondent, he started construction of a building in his place and due to financial crisis, he could not complete the same within a period of two years. Therefore, he submitted a representation for extension of the period of construction by renewal, to the respondents 1 and 2. But, they have not taken any action. He also made representation dated 21.10.2012 to the second respondent. But, the same has not been considered, so far. In the meanwhile, the third respondent issued a notice dated 05.09.2012, directing the petitioner to remove the construction, as it was made without approval and permission. Therefore, the petitioner is before this Court.

3.When the matter is taken up for hearing today, the learned counsel for the petitioner submits that the construction is over.

4.Heard the learned counsel appearing for the first respondent.

5.Since the construction is over, there is no question of renewal of building plan at this point of time and therefore the prayer in the writ petition has become infructuous and accordingly, the writ petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.R.Prabhu Ramachandran, Advocate in SR.No.65406

+1cc to Special Government Pleader in SR.No.65871

smn

AE/MR KKR/SAR2/24.07.2017/2P/3C

**ORDER MADE IN
W.P(MD)No.19230 of 2015
and
M.P(MD)No.1 of 2015
14.07.2017**