



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. [MD] .No.11045 of 2017

M.Rajaram

: Petitioner

Vs.

1. The Commissioner,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Tallakulam,
Madurai-2.

2. The Executive Engineer,
Town Planning Section,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Tallakulam,
Madurai-2.

3.Muthammal @ Alagammal

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first and second respondents to take appropriate action against the third respondent based on the petitioner's representation dated 24.03.2017 by demolishing the 2 storey building constructed by the third respondent on northern side of the petitioner's residential house in RS.No.118/13, D.No.25, Ward No.27, Sambakulam 4th Street, Moondrumavadi, K.Pudur, Madurai-7 without getting any prior permission from the first and second respondents.

For Petitioner : Mr.S.Mohamed Kadhar

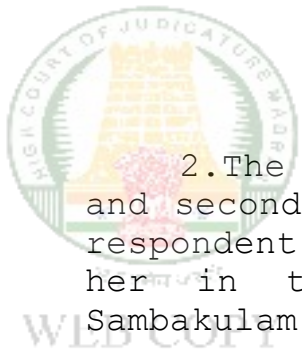
For Respondent No.1 : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

For Respondents 2 & 3 : No Appearance

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

Heard the learned counsel for the petitioner. None appears on behalf of the third respondent, in spite of service of summons on 20 June 2017.



2.The petitioner filed this Writ Petition to direct the first and second respondents to take immediate action against the third respondent, on account of the unauthorized construction put up by her in the property in RS.No.118/13, D.No.25, Ward No.27, Sambakulam 4th Street, Moondrumavadi, K.Pudur, Madurai-7.

3.We direct the first respondent to consider and dispose of the representation submitted by the petitioner dated 24 March, 2017, on merits and as per law, after issuing notice to the third respondent. Such exercise shall be completed, within a period of two months from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Tallakulam,
Madurai-2.

2. The Executive Engineer,
Town Planning Section,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Tallakulam,
Madurai-2.

+1cc to Mr.S.Mohamed Kadhar, Advocate Sr.No.66699

+1cc to Mr.T.S.Mohamed Mohideen, Advocate Sr.No.67034

SML/MYR

VB/JC/SAR3/02/08/2017/2P/5C

**Order made in
W.P. [MD].No.11045 of 2017
20.07.2017**