



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2017

CORAM:

THE HONOURABLE **MR.JUSTICE K.K.SASIDHARAN**

and

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD)No. 15580 of 2017

K.Samydurai

.. Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Tahsildar,
Tahsildar Office,
Theni.

3.The Commissioner,
Theni-Allinagaram Municipality,
Theni.

4.The Assistant Engineer,
Theni TNEB,
Theni.

5.The Division Engineer,
Highway Department,
Theni.

6.A.Ravikumar

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 to consider the representation of the petitioner dated 11.07.2017.

For petitioner	: Mr.Lakshmi Gopinathan
For R1, R2, R4 & R5	: Mr.M.Govindan Special Government Pleader
For R3	: Mr.K.Hema Karthikeyan
For R6	: Mr.J.Alaguram Jothi

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The petitioner is the resident of the Aranmanaiputhur, Theni District and he complains that the sixth respondent has put up an unauthorized construction in Survey No.271/2B, T.S.No.8/1, Ward-E, Block-17, in Aranmanaiputhur Vilakku, Theni District.



2. The learned Standing counsel appearing for the third respondent also submitted that the local body has rejected the building plan submitted by the sixth respondent. However, the learned counsel for the sixth respondent would submit that he has already given a revised plan. He would also contend that when the revised plan is pending consideration, the authorities cannot take any coercive measures. When a revised plan has been submitted to regularise the unauthorized construction, the third respondent is the authority competent to take action.

3. This Court therefore directs the third respondent to dispose of the writ petitioner's representation, dated 11.07.2017, in accordance with law, within a period of three months from the date of receipt of a copy of this order. Of course, the sixth respondent shall be put on notice before passing any final order.

4. Accordingly, this writ petition is disposed of. No Costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Theni District.
2. The Tahsildar,
Tahsildar Office, Theni.
3. The Commissioner,
Theni-Allinagaram Municipality,
Theni.
4. The Assistant Engineer,
Theni TNEB, Theni.
5. The Division Engineer,
Highway Department, Theni.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 79898
+1cc to M/s. POLAX LEGAL SOLUTIONS in SR. No. 79930
+1cc to Mr. K. HEMA KARTHIKEYAN Advocate in SR. No. 79710
+1cc to Mr. J. ALAGURAM JOTHI Advocate in SR. No. 80276

RMK/PJL

JS/SV.MMS/SAR.3/12.10.2017/2P-10C