



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2017

WEB COPY

CORAM:

THE HONOURABLE **MR. HULUVADI G. RAMESH,**
ACTING CHIEF JUSTICE

AND

THE HONOURABLE **MR. JUSTICE T. S. SIVAGNANAM**

W.P. (MD) .No.4209 of 2017

N.M.S.Magadhoom,
S/o.Sahul Hameed,
Ellam Vallavan Street,
Military Line Street,
Samathanpuram,
Palayamkottai,
Tirunelveli District.

: Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Executive Engineer,
Special Grade Town Panchayat,
Tiruchendur, Thoothukudi District.

3.The Special Officer,
Special Grade Town Panchayat,
Tiruchendur,
Thoothukudi District.

4.R.Chinnadurai & Co.
Represented by its Partner,
Selvaraj,
North Car Street,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue an order or Writ particularly in the nature of Writ of Mandamus directing the first and second respondents to remove the unauthorized construction put up by the fourth respondent in the name of K.Chinnadurai & Co. in old Survey No.241/1, New Survey Nos.1460/22 to 1460/38, Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District in the light of petitioner's representation dated 28.08.2016 and 21.02.2017.

<https://hcservices.ecourts.gov.in/hcservices/>

For Petitioner

: Mr.R.PonKarthikeyan

For Respondents 1 to 3

: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

**O R D E R***********

[Order of the Court was made by
The Hon'ble The Acting Chief Justice]

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Heard the learned counsel for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, who takes notice for the respondents 1 to 3.

2. The petitioner has come forward with the present Writ petition, seeking a Writ of Mandamus directing the first and second respondents to remove the unauthorized construction put up by the fourth respondent in the name of K.Chinnadurai & Co. in old Survey No.241/1, New Survey Nos.1460/22 to 1460/38, Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District in the light of his representation dated 28.08.2016 and 21.02.2017.

3. According to the petitioner, the fourth respondent herein had constructed a huge building very close to the sea shore. Seeking to remove such unauthorized construction put up by the fourth respondent, the petitioner submitted representations, on 28.08.2016, 14.11.2016 and 10.12.2016 before the respondents 1 and 2. Since no action has been taken, the petitioner has come up with this Writ Petition under the guise of Public Interest Litigation.

4. Admittedly, the petitioner is a resident of Ellam Vallavan Street, Samathanpuram, Palayamkottai, Tirunelveli District, whereas the alleged offending construction put up by the fourth respondent is at Tiruchendur in a different District. Moreover, the Writ Petition is bereft of details and the petitioner has not brought to the notice of this Court as to the source of information regarding the alleged violation committed by the fourth respondent and the authenticity of the same and therefore, a blanket direction as sought for by the petitioner cannot be granted. The Writ Petition, in our considered view, appears to be misconceived.

5. In the result, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Executive Engineer,
Special Grade Town Panchayat,
Tiruchendur,
Thoothukudi District.



3.The Special Officer,
Special Grade Town Panchayat,
Tiruchendur,
Thoothukudi District.

+1 cc to M/R.R.PON KARTHIKEYAN, Advocate, SR.NO:14433
+1 cc to M/R.T.S.MOHAMED MOHIDEEN, Advocate, SR.NO:14023
+1 cc to M/S.SPECIAL GOVERNMENT PLEADER, SR.NO:14114

NB
SVA/PM/PN/21.03.2017/3P/7C

**ORDER MADE IN
W.P. (MD) .No.4209 of 2017
13.03.2017**