



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **21.02.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **P.KALAIYARASAN**

WEB COPY

W.P(MD)No.579 of 2017

and

W.M.P(MD)No.463 of 2017

S.Vijayalakshmi

.. Petitioner

Vs.

1.The District Collector cum Chairman,
Local Planning Authority,
Virudhunagar District, Virudhunagar.

2.The Commissioner,
Sivakasi Municipal Corporation,
Sivakasi, Virudhunagar District.

3. Pothiraj

4. Sekar

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to complete his proceedings in Na.Ka.No.3193/2012/C3 dated 07.10.2016 and to pass order to demolish the unauthorized commercial building constructed by the third respondent in D.No.90-C, Gnanagiri Road, Sivakasi, Virudhunagar District based on the petitioner's representation dated 13.10.2016 within the stipulated period as fixed by this Court.

For Petitioner : Mr.S.M.Anantha Murugan

For Respondents 1 and 2 : Mr.D.Muruganandam,
Additional Government Pleader.

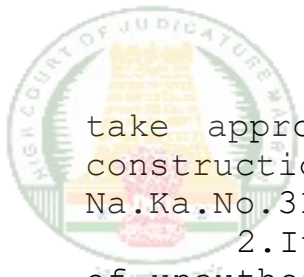
For Respondent No.3 : Mr.F.Deepak

For Respondent No.4 : Mr.J.Ashok

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

<https://hcservices.ecourts.gov.in/hcservices/>
This writ petition has been filed under Article 226 of the Constitution of India praying to direct the second respondent to



take appropriate action in respect of removal of unauthorised construction as per proceedings dated 07.10.2016 passed in Na.Ka.No.3193/2012/ C3, by way of issuing a writ of mandamus.

2.It is averred in the petition that with regard to removal of unauthorised construction, already a proceeding has been issued on 07.10.2016. But the second respondent has not completed the same. Under the said circumstances, a representation has also been given, but the same has not been considered and therefore the present writ petition has been filed for getting the relief sought therein.

3.It is seen from the records that in pursuance of the order passed in the earlier writ petition on 07.10.2016, notice has been issued to the third respondent. But so far no proper action has been taken.

4.Considering the aforesaid factual circumstances and also considering the fact that on 07.10.2016 a proceeding has been taken on the basis of the order passed in the earlier writ petition, this Court is of the view to allow the present writ petition.

5.In fine, this writ petition is allowed without costs and the second respondent viz., Commissioner, Sivakasi Municipal Corporation, Virudhunagar District is strictly directed to complete the proceedings dated 07.10.2016 within a period of one month. The second respondent is also directed to give proper opportunity to the respondents 3 and 4. Consequently, connected MiscellaneousPetitionisclosed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector cum Chairman,
Local Planning Authority,
Virudhunagar District, Virudhunagar.
- 2.The Commissioner,
Sivakasi Municipal Corporation,
Sivakasi, Virudhunagar District.

+1 cc to Mr. S.M.ANANTHA MURUGAN, ADVOCATE, SR NO.9470
+1 CC TO SPEICAL GOVERNMENT PLEADER, SR NO.9670

smn
KK/PM-PN/SAR1:23.02.2017:2P-5C