

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA

W.P. No.3021 of 2018
and W.M.P.No.3695 of 2018

S.Kalimuthu

.. Petitioner

-vs-

1.The District Collector,
Tirupur District, Tirupur.

2.Sub Collector,
Dharapuram, Tirupur.

3.Revenue Divisional Officer,
Dharapuram, Tirupur District.

4.Kuppusamy

5.Executive Officer,
Goundachi Pudur Panchayat,
Dharapuram, Tirupur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 3 & 5 not to permit the 4th respondent from putting up any construction in his Nanja land patta no.337 in Survey No.66 of an extent of 0.31 Nanja Acres situated on the Madura Dharapuram South Village, Dharapuram Taluk, Tirupur District, within the jurisdiction of Dharapuram Sub Registrar and Tirupur Registration District, with the intention of putting up multi-storeyed building for commercial purpose.

For Petitioner : Mr.A.K.Sridharan

For Respondents : Mr.E.Manoharan
Addl.G.P. for RR 1 to 3
: Mr.S.Kamlesh Kannan,
Govt. Adv. For R-5

O R D E R

(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition has been filed seeking directions on the respondent authorities not to permit construction in "Nanja land" of the 4th respondent measuring as about 0.31 acres in Patta No.337, Survey No.66, in Madura Dharapuram South Village, Dharapuum Taluk, Tiruppur District.

2.It is alleged that the petitioner is constructing a multi-storeyed building for commercial purpose on the land. A photograph of the construction was produced in Court, wherefrom it appears that the construction is right in the middle of the fertile agricultural land, adjacent to, if not encroaching into a water body.

3.The respondent authorities submit, on instructions, that the fourth respondent had applied for permission and started construction without obtaining permission. The permission to construct has been refused by an order dated 07.02.2018. Let a photocopy of the order dated 07.02.2018 be taken on record.

4.There can be no question of any person making any construction without requisite approval of the authorities concerned. The fifth respondent shall take immediate steps to stop further construction and to have the construction made removed in accordance with law. This order shall be complied with within three (3) months from date, upon notice to the fourth respondent.

4.The writ petition is, accordingly, disposed of. No costs. Consequently, W.M.P.No.3695 of 2018 is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sra

To

1.The District Collector,
Tirupur District, Tirupur.

2.The Sub Collector,
Dharapuram, Tirupur.

3.The Revenue Divisional Officer,
Dharapuram, Tirupur District.

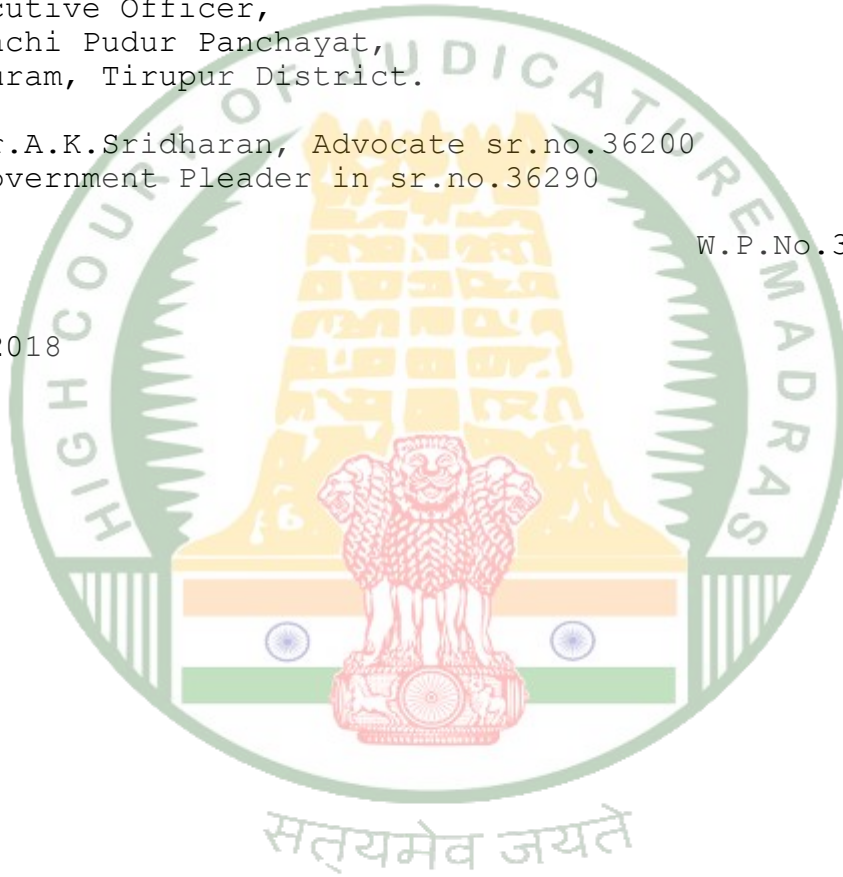
4.The Executive Officer,
Goundachi Pudur Panchayat,
Dharapuram, Tirupur District.

+1cc to Mr.A.K.Sridharan, Advocate sr.no.36200

+1cc to Government Pleader in sr.no.36290

W.P.No.3021 of 2018

br(co)
nr 20/06/2018



WEB COPY