

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.08.2018

Coram:

THE HON'BLE MR.JUSTICE M.VENUGOPAL
AND
THE HON'BLE MRS.JUSTICE S.RAMATHILAGAM

W.P.No.21891 of 2017

Consumer Rights Protection Centre,
Thalaivasal Region (Regd),
rep.by its President
Mr.T.Govindan,
No.69, National Highway No.79,
Thalaivasal Village and Post,
Attur Taluk,
Salem District 636 112

... Petitioner

vs.

1.State rep.by
The District Collector,
Salem District,
Salem-1

2.The Block Development Officer(Pachayat),
Thalaivasal Panchayat Union,
Thalaivasal,
Salem District 636 112

3.Anandhakumar

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take action on the representations of the Petitioner Association dated 26.7.2017 and 28.07.2017 to remove the illegal construction put up by the 3rd Respondent herein, in the Government Land comprised in Survey No.44/3B, Thalaivasal Village and Panchayat, measuring an extent of 4 cents, within a reasonable time as may be prescribed by this Court.

For Petitioner : Mr.A.E.Ravi Chandran
For Respondents : Mr.R.Udaya Kumar AGP 1 & 2
Mr.P.Dinesh Kumar

ORDER
(Order of the Court was made by M.VENUGOPAL,J.)

Heard the Learned Counsel for the Petitioners and the Learned Special Government Pleader for R1 and R2.

2.No counter is filed on behalf of the Respondents.

3.Mr.R.Udhayakumar, Learned Additional Government Pleader, informs this Court that the First Respondent/District Collector, Salem District, had issued proceedings in Na.Ka.No.3070/2016/A7, dated 06.08.2018, stating that Thalaivasal Village Panchayat Resolution No.96, dated 05.08.2016, was cancelled. In regard to the demotion of the building in question, the Respondents await for the Orders of this Court.

4.In view of the fact that the First Respondent/District Collector, Salem District, as per Proceedings in Na.Ka.No.3070/2016/A7, dated 06.08.2018, had cancelled the Thalaivasal Village Panchayat Resolution No.96, dated 05.08.2018, there is no impediment for the Respondents 1 and 2 to remove the building put up by the Third Respondent. As such, this Court directs the Respondents 1 and 2 to demolish the building in question, put up by the 3rd Respondent, within a period of three weeks from the date of receipt of copy of this order.

With the above observations/directions, the Writ Petition shall stand disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Salem District,
Salem-1

- 2.The Block Development Officer(Pachayat),

Thalaivasal Panchayat Union,
Thalaivasal,
Salem District 636 112

+1cc to Mr.P.Dinesh Kumar, Advocate, S.R.No.58584

+1cc to Mr.A.E.Ravi Chandran, Advocate, S.R.No.58338

+1cc to the Government Pleader, S.R.No.58854

W.P.No.21891 of 2018

GSP(11/09/2018)



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