



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD].No.19963 of 2013

V.R.Rajeshwari : Petitioner

vs.

1.The Commissioner,
Trichy Municipal Corporation,
Bharathiyar Salai,
Cantonment,
Trichy-1.

2.The Assistant Commissioner,
Trichy Municipal Corporation,
Srirangam Division,
Srirangam,
Trichy-620 006.

3.The Member Secretary,
Local Planning Authority,
No.10, Williams Road,
Cantonment,
Trichy-620 001.

4.Mrs.Rama Sadagopan,
Proprietor,
V.S.Thirumana Mahal,
East Adaiyavalanjan Street,
Srirangam,
Trichy-620 006.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to take steps for demolishing the illegal and unauthorized construction put forth by the fourth respondent.

For Petitioner

For R1 & R2

For R3

For R4

: Mr.B.S.Manjunath

: Mr.N.S.Karthikeyan,
Standing Counsel: Mr.D.Muruganandham,
Additional Government Pleader

: Mr.P.Ganapathi Subramaniam

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.B.S.Manjunath, learned counsel appearing for the petitioner, Mr.N.S.Karthikeyan, learned Standing Counsel for the respondents 1 & 2, Mr.D.Muruganandham, learned Additional Government Pleader for R3 and Mr.P.Ganapathi Subramaniam, learned counsel for the fourth respondent.

2.The petitioner has filed this writ petition to direct the respondents 1 to 3 to take action against the fourth respondent alleging the fourth respondent has put up a construction without obtaining the planing permission and it is a un-authorised and illegal construction.

3.Though the respondents Corporation has been served and they have entered appearance through counsel, no counter has been filed, the Member Secretary of the Local Planning Authority has also not given any instruction to the learned Additional Government Pleader.

4.The learned counsel for the fourth respondent, who is alleged to be an encroacher states that the fourth respondent has not deviated from the approval plan.

5.In the light of the above, we direct the second respondent to cause inspection of the property of the fourth respondent and if any encroachment is there, proceed in accordance with law.

6.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner, Trichy Municipal Corporation,
Bharathiyar Salai, Cantonment, Trichy-1.
 - 2.The Assistant Commissioner, Trichy Municipal Corporation,
Srirangam Division, Srirangam, Trichy-620 006.
 - 3 The Member Secretary, Local Planning Authority,
No.10, Williams Road, Cantonment, Trichy-620 001.
- +1CC to Mr.N.S.Karthikeyan, Advocate, SR.No. 55330
+1CC to the Special Government Pleader SR.No.55676

WP(MD)No.19963 of 2013
14.03.2018