

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.1033 of 2018

M.Rajakumari

.. Petitioner

Vs

1. The District Collector
Tiruvannamalai District
District Collector's Office
Vengikkal
Tiruvannamalai - 606604.

2. The Commissioner
Tiruvannamalai Municipality
Sannathi street
Tiruvannamalai-606601.

3. M.Sankaranathan

4. M.Saravanan

5. Mohan

6. Periyathai Ammal

7. C.N.AmirthaRaj

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 herein to consider the petitioner's representation dated 03.10.2017 requesting to take necessary action against the unauthorised constructions (more fully described in the Schedule of Property annexed to the writ petition prayer) constructed by respondents 3 to 7 in T.S.No.1853/1A1 in a total extent of 62 cents for which the new T.S.No.1853/22A, 1853/22B, situated at Ward No.4, Block No.33, Manakula Vinayakar Street, (Chengam Road No.4), Tiruvannamalai Town and District as per the Tamil Nadu Town and Country Planning Act, 1971.

For Petitioner : Mr.S.Vediappan

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for 1st respondent

Mr.A.S.Thambusamy
for 2nd respondent

No appearance
for respondents 3 to 7

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.S.Vediappan, learned counsel for the petitioner; Mr.S.Kamalesh Kannan, learned Government Advocate for the first respondent and Mr.A.S.Thambusamy, learned counsel for the second respondent.

2. The petitioner is seeking direction to respondents 1 and 2 to consider the petitioner's representation dated 3.10.2017 to take action against the unauthorized construction put up by respondents 3 to 7 in T.S.No.1853/1A1 in a total extent of 62 cents for which the new T.S.No.1853/22A, 1853/22B, situated at Ward No.4, Block No.33, Manakula Vinayakar Street, (Chengam Road No.4), Tiruvannamalai Town and District as per the Tamil Nadu Town and Country Planning Act, 1971.

3. The learned counsel for the second respondent, i.e., the Commissioner, Thiruvannamalai Municipality, Thiruvannamalai, has tendered counter, wherein it is stated that they issued notice dated 19.3.2019 to respondents 4 and 5 under Sections 56, 57, 49 and 47A of the Tamil Nadu Town and Country Planning Act, 1971 calling upon them to produce the approved plan. It is further stated in the counter affidavit that if respondents 4 and 5 fail to produce the approved plan, the building in question would be locked and sealed and further action would be taken as per law. It is also stated that, on 10.7.2019, they have issued Form-II notice to respondents 4 and 5.

4. The learned counsel for the second respondent Municipality stated that they will take action in accordance with law in relation to the said unauthorized structure.

5. Thus, it is seen that the authorities are taking action in relation to the unauthorized structure. Hence, in our view, no further orders are necessary and, therefore, this writ petition is closed. No costs.
sasi

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1 The District Collector
Tiruvannamalai District
District Collector's Office
Vengikkal
Tiruvannamalai - 606604.

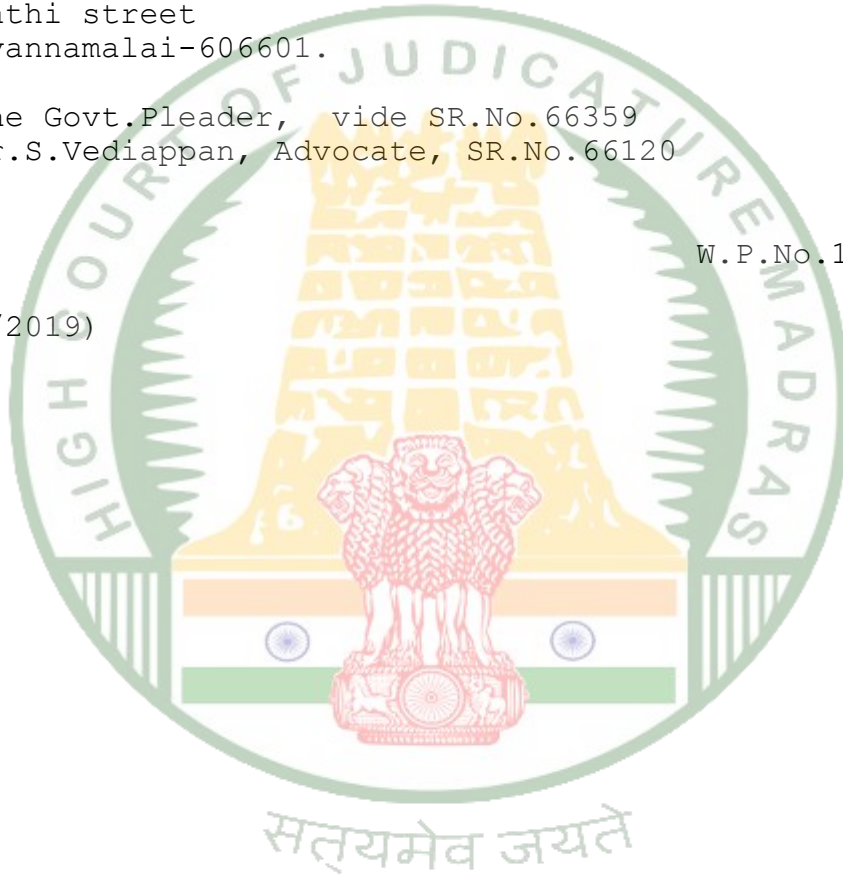
2 The Commissioner
Tiruvannamalai Municipality
Sannathi street
Tiruvannamalai-606601.

+1cc to the Govt.Pleader, vide SR.No.66359

+1cc to Mr.S.Vediappan, Advocate, SR.No.66120

W.P.No.1033 of 2018

Kak(18/09/2019)



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