

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P.No.5666 of 2019

N.Prabakaran .. Petitioner

-vs-

1.The District Collector,
Salem District.

2.The Commissioner of Corporation,
Salem.

3.Thavamani ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 and 2 to take appropriate action to demolish the unlawful construction made by the 3rd respondent over the property comprised in T.S.No.29/1, Komarasamipatti Village (Peramanur East Street), Salem-7 by considering the representations of the petitioner herein dated 08.06.2018 and 13.08.2018.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondent No.1

Mrs.K.Bhuvaneswari
Addl. Government Pleader
for respondent No.2

ORDER

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

Heard Mr.R.Nalliyappan, learned counsel for the petitioner; Mr.S.Kamalesh Kannan, learned Government Advocate for respondent No.1 and Mrs.K.Bhuvaneswari, learned Additional Government Pleader for respondent No.2.

2. The petitioner is seeking directions to respondent Nos.1 and 2 to take appropriate action to demolish the unlawful construction made by respondent No.3 over the property comprised in T.S.No.29/1, Komarasamipatti Village (Peramanur East Street), Salem-7, after considering the representations of the petitioner dated 08.06.2018 and 13.08.2018.

3. The learned Government Advocate for respondent No.1 states that as far as the unlawful construction put up by respondent No.3 over the property in T.S.No.29/1, Komarasamipatti Village, Salem-7 is concerned, respondent No.2 has issued a notice under Sections 274, 283, 296(1) and (2), 297 and 447 of Salem City Municipal Corporation Act, 1994 on 22.02.2019.

4. The learned counsel for respondent No.2 states that after the notice period is over, they will take action in accordance with law in relation to the construction put up by respondent No.3.

5. In view of the above facts, no further orders are necessary in this writ petition and the writ petition is disposed of. No costs. Consequently, W.M.P.No.6454 of 2019 is closed.

Sd/-

Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

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To

1.The District Collector, Salem District.

2.The Commissioner of Corporation, Salem.

+1cc to Mr.R.Nalliyappan, Advocate SR.No.19456

+1cc to Mrs.K.Bhuvaneswari, Advocate SR.No.19200

W.P.No.5666 of 2019

BS (CO)
GMY (22/03/2019)



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