

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.27237 of 2018

S.K.Mohanasamy

.. Petitioner

-vs-

1.The Collector
Erode District, Erode.

2.The Revenue Divisional Officer,
Erode.

3.The Executive Officer,
Nasiyanur Town Panchayat,
Thingalur Road, Nasiyanur 638 107,
Erode District.

4.T.A.Venkatachalam

5.V.Shanmugan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3 to demolish and remove the unauthorised construction of Sri Appathaal Thirumana Mandapam situated at Nasiyanur Village based upon the representations of the petitioner dated 14.08.2018 and 07.09.2018.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) for RR 1 to 3
: Mr.M.P.Rajavelayutham for R-4
: Mr.Naveen Kumarmoorthy for R-5

* * * * *

O R D E R

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

Heard the learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.), appearing for respondent nos.1 to 3, Mr.M.P.Rajavelayutham, learned counsel appearing for respondent no.4 as also Mr.Naveenkumarmoorthy, learned counsel appearing for respondent no.5.

2.The petitioner is seeking directions to respondent nos.1 to 3, i.e., The District Collector, Erode District, The Revenue Divisional Officer, Erode and the Executive Officer, to demolish the unauthorised construction of Sri Appathaal Thirumana Mandapam situated at Nasiyanur Village.

3.The learned Government Pleader (i/c.) tendered the affidavit of respondent no.3, wherein it is stated that the said Mandapam is an unauthorised construction. It is further stated that after receiving the representation of the petitioner dated 07.09.2018 to seal the unauthorised premises, the third respondent, after verifying the file, came to understand that the Mandapam is an unauthorised one, therefore, the respondent is taking steps to issue appropriate notices under the Tamil Nadu Town Panchayats Act, 1994 and Tamil Nadu District Municipalities Act, 1920, to the said Mandapam in relation to its unauthorised construction.

In view of the averments in the affidavit, no further directions are necessary. The writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To

1.The Collector
Erode District, Erode.

2.The Revenue Divisional Officer,
Erode.

3.The Executive Officer,
Nasiyanur Town Panchayat,
Thingalur Road, Nasiyanur 638 107,
Erode District.

+lcc to M/s.S.Doraisamy, Advocate sr.no.12949

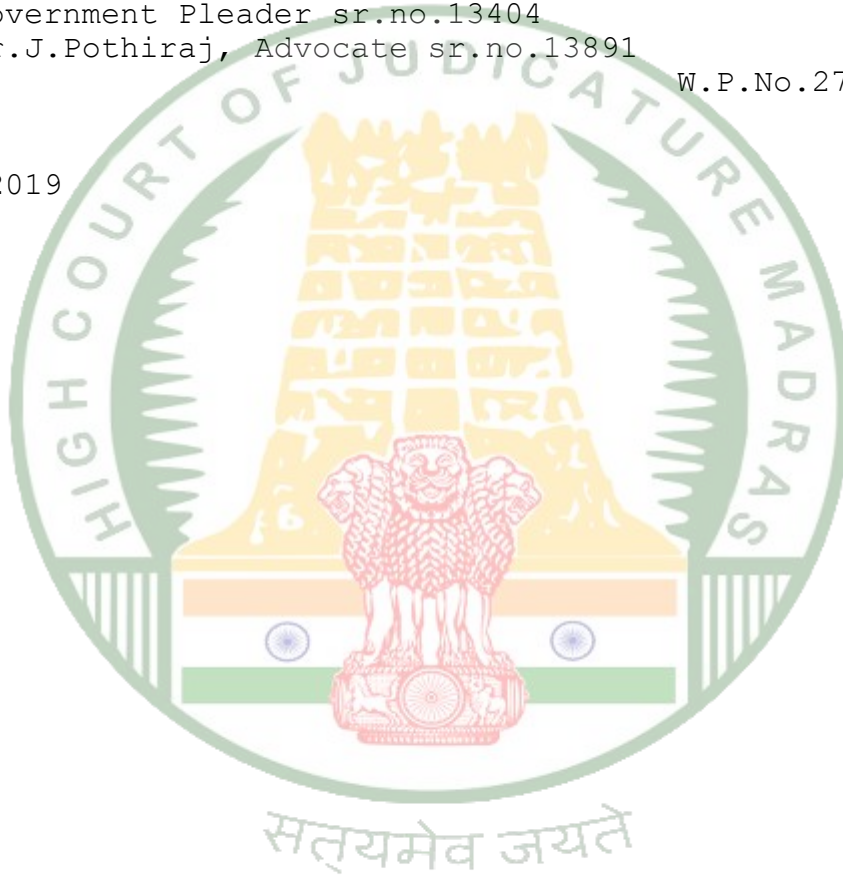
+lcc to Mr.Naveen Kumarmoorthy, Advocate sr.no.13378

+lcc to Government Pleader sr.no.13404

+lcc to Mr.J.Pothiraj, Advocate sr.no.13891

W.P.No.27237 of 2018

mr(co)
nr 14/03/2019



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