



WEB COPY

W.P.(MD).No.25220 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.25220 of 2019

and

WMP (MD) .No.21804 of 2019

N.Srinivasan

... Petitioner

Vs.

1.The Madurai Corporation,
Rep. by its Commissioner,
Aringar Anna Maligai,
Tallakulam, Madurai - 625 002.

2.The Local Planning Authority,
Rep.by its Member Secretary,
4.Hakim Amalkhan Road, Chinna Chokkikulam,
Madurai - 625 002.

3.MrS.S.Vasantha

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1, to remove the unauthorised construction made by the respondent No.2, in plot No.21, ReSurvey No.85/6 at Kamala Ram Nagar, Tirupalai Village, Madurai North Taluk, Madurai District, within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondent-1 : Mr.R.Murali

For Respondent-2 : Mr.A.K.Baskarapandian
Spl.Govt.Pleader

O R D E R

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.T.Lajapathi Roy, the learned counsel appearing for the petitioner, Mr.R.Murali, learned Standing Counsel for 1 and Mr.A.K.Baskarapandian, the learned Special Government Pleader for R2.

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2. The petitioner has filed this Writ Petition to issue appropriate direction to the respondent Corporation to remove the unauthorized construction put up by the 3rd respondent.

3. From the photographs it is prima facie seen that there is no side set back in respect of the construction put up by the 3rd respondent. We direct the respondent Corporation to conduct an inspection of the property of the 3rd respondent immediately and if it is found that the construction is in deviation of the approved plan or an unauthorized construction, immediately the construction should be stopped and the building should be locked and sealed and further action be initiated in accordance with law.

4. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Madurai Corporation,
Rep. by its Commissioner,
Aringar Anna Maligai,
Tallakulam, Madurai - 625 002.

2.The Local Planning Authority,
Rep.by its Member Secretary,
4.Hakkim Amalkhan Road, Chinna Chokkikulam,
Madurai - 625 002.

+1 CC to M/s.R.MURALI, Advocate (SR-102096[F] dated 28/11/2019)

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-102232[F] 28/11/2019)

**W.P. (MD) .No.25220 of 2019
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MPK

SDS (16.12.2019) 2P 5C