



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.7309 of 2020

and

W.M.P. (MD) .No.6762 of 2020

WEB COPY

M.Tirukumaran

...Petitioner

Vs.

1.The Executive Officer,
Arulmigu Sangolathon Kulandalalamman Thirukovil,
Thillai Nagar, Trichy.

2.The Assistant Commissioner,
Trichy Municipal Corporation,
Puthur, Trichy.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the first respondent and his men from in any manner interfering with petitioner reconstruction work in respect of his house property at No.43, Sengolathan Kovil Street, Co-Abhisekarapuram Division, Trichy District.

For Petitioner	: Mr.B.Jameel Arasu
For R-1	: Mr.Guhaseela Rooban
For R-2	: Mr.N.S.Karthikeyan

ORDER

Heard the learned counsel on either side.

2.The petitioner states that he is in occupation of the petition mentioned house for several years and that it has become old and dilapidated. He wants to reconstruct the same. The petitioner's grievance is that the respondent Authorities are interfering with the reconstruction work.

3.It is seen that the land in question belongs to the first respondent Temple while the superstructure appears to have been built by the petitioner's predecessors in interest. It cannot be disputed that the planning permission will have to be obtained from the concerned authorities even for reconstructing a dilapidated house. The petitioner is not able to produce any such planning permission or approval. Therefore, the relief sought for by the petitioner cannot be granted. Even while rejecting the writ petition, liberty is granted to the petitioner herein to approach the respondents for carrying out his reconstruction work in accordance with law.



4. With this observation, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

tsg

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Executive Officer,
Arulmigu Sangolathon Kulandalalamman Thirukovil,
Thillai Nagar, Trichy.

2. The Assistant Commissioner,
Trichy Municipal Corporation,
Puthur, Trichy.

ORDER MADE IN
W.P. (MD) .No.7309 of 2020
13.07.2020

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