



WEB COPY

W.P (MD) No.18419 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No.18419 of 2020

and

W.M.P (MD) No.15420 and 15422 of 2020

K.R.Akbar

... Petitioner

Vs.

- 1.The Commissioner,
Corporation of Madurai,
Annamaligai,
Madurai - 625 002.
- 2.The Town Planning Officer,
Corporation of Madurai,
Annamaligai,
Madurai - 625 002.
- 3.The Assistant Engineer,
Ward No.39,
Goripalayam,
Madurai - 625 002.
- 4.The Inspector of Police,
Thallakulam Police Station,
Madurai - 625 002.
- 5.Ramu
- 6.Muthammal
- 7.Bose

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the respondents 1 to 4 to take appropriate action based on the petitioner's representation dated 04.11.2020 and 25.11.2020 against the illegal construction being put up by the respondents 5 to 7 in T.S.No.1212, which situated at Door No.8/1, Chavadi Street, Goripalayam, Madurai and demolish the same within a time frame fixed by this Court.

For Petitioner : Mr.Sankara Subbu
for Mr.M.Seeni Sulthan

For Respondent : Mr.R.Murali,
Nos.1 to 3 Standing Counsel

Fore Respondent : Mr.R.Murugan,
No.4 Additional Government Pleader



ORDER

[Order of the Court was made by **N.KIRUBAKARAN, J.**]

This writ petition has been filed seeking a writ of mandamus, directing the respondents 1 to 4 to take appropriate action, based on the petitioner's representations, dated 04.11.2020 and 25.11.2020, against the illegal construction put up by the respondents 5 to 7 in T.S.No.1212 at Door No.8/1, Chavadi Street, Goripalayam, Madurai.

2. According to the petitioner, the respondents 5 to 7, have encroached the petitioner's property in T.S.No.1212 at Chavadi Street, Goripalayam, Madurai and they are making constructions without any building plan approval.

3. Heard Mr.Sankara Subbu, learned Counsel appearing for the petitioner, Mr.R.Murali, learned Standing Counsel appearing for the respondents 1 to 3 and Mr.R.Murugan, learned Additional Government Pleader appearing for the respondent 4. Notice to the respondents 5 to 7, at this stage, is dispensed with.

4. Mr.R.Murali, learned Standing Counsel appearing for the respondents 1 to 3 submitted that based on the petitioner's representations, dated 04.11.2020 and 25.11.2020, action has been taken by issuing show cause notice, dated 15.12.2020 to the respondents 5 to 7 that they are making constructions without any building plan approval.

5. Since Madurai Corporation has taken action by issuing show cause notice to the respondents 5 to 7, the respondents 1 to 3 are directed to proceed with it and take appropriate action, after affording opportunity of hearing to the necessary parties, within a period of one week from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

dsk



To

1.The Commissioner,
Corporation of Madurai,
Annamaligai,
Madurai - 625 002.

2.The Town Planning Officer,
Corporation of Madurai,
Annamaligai,
Madurai - 625 002.

3.The Assistant Engineer,
Ward No.39,
Goripalayam,
Madurai - 625 002.

4.The Inspector of Police,
Thallakulam Police Station,
Madurai - 625 002.

+1 CC to M/s.R.MURALI, Advocate (SR-25631[F] dated 15/12/2020)

W.P (MD) No.18419 of 2020

15.12.2020

SJ(CO)

KK(28.12.2020) 3P 6C