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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.20227 of 2021
and WMP.No.21479 of 2021

K.S.Sampath Kumar

...Petitioner

Vs.

1.The Member Secretary,
Puducherry Planning Authority,
Puducherry.

2.The Chief Town Planner,
Town and Country Planning Department,
Jawahar Nagar,
Puducherry.

3.The Tahsildar,
Taluk Office, Villianur,
Puducherry.

4.The Register,
Thirukanur SRO,
Puducherry.

5.Devendiran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent to conduct an enquiry on the petitioner's representation dated 24.08.2019 in a time bound manner.

For petitioner : Mr.R.Karunakaran

For respondent : Mr.C.T.Ramesh,
Additional Government Pleader
for R1 to R4



ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J)

The petitioner seeks to issue a Writ of Mandamus directing the 1st respondent to conduct an enquiry on the petitioner's representation dated 24.08.2019.

2. It is the case of the petitioner that the 5th respondent has encroached his property in R.S.No.5/10 and put up construction without planning permission.

3. Mr.C.T.Ramesh, learned Additional Government Pleader appearing for the respondents 1 to 4 would state that the official respondents were not aware of the encroachment made by the 5th respondent in the property of the petitioner, however it was found to be an unauthorised construction. Hence, the Stop Work Notice was issued on 22.02.2019 and thereafter, demolition notice was issued on 17.03.2020.

4. The statement of the learned Additional Government Pleader reveals that the official respondents initiated action on the basis of the representation of the petitioner, hence, nothing survives in the writ petition for consideration of this Court.

5. In such view of the matter, this Writ Petition is dismissed as having become infructuous. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Member Secretary,
Puducherry Planning Authority,
Puducherry.



2.The Chief Town Planner,
Town and Country Planning Department,
Jawahar Nagar,
Puducherry.

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3.The Tahsildar,
Taluk Office, Villianur,
Puducherry.

4.The Register,
Thirukanur SRO,
Puducherry.

+1cc to Mr.R.Karunagaran, Advocate, S.R.No.52076
+1cc to the Government Pleader, S.R.No.52167

W.P.No.20227 of 2021

RSI(CO)
SB(02/11/2021)