



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2021

CORAM:

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

W.P.No.20586 of 2021

C.Venkataraman

...Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Sub-Collector,
Harur,
Dharmapuri District.

3.The Thasildar,
Harur Taluk,
Harur,
Dharmapuri District

4.The Block Development Officer,
Harur,
Dharmapuri District.

5.The President,
Dhottampatti Panchayat,
Dhottampatti,
Harur Taluk,
Dharmapuri District.

6.S.Ravi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 5 to remove the unauthorised construction done by the 6th respondent in Survey No.3/2, H.Dhottampatti Village Panchayat, Harur Taluk, Dharmapuri District in accordance with laws, within a specified period to be fixed by this Court.



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For petitioner : Mr.K.Thiruvengadam
For respondents : Mr.TNC.Kaushik
Govt Counsel (for R1 to R5)

ORDER

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

Mr.T.N.C.Kaushik, learned Government Counsel takes notice for the respondents 1 to 5. By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.This Writ Petition is filed seeking for the issuance of a Writ of Mandamus to direct the respondents 1 to 5 to remove the unauthorised construction done by the 6th respondent in Survey No.3/2, H.Dhottampatti Village Panchayat, Harur Taluk, Dharmapuri District in accordance with law within a time frame.

3.The petitioner would state that he is the owner of the property comprised in S.No.3/1A1D2 situated at Dhottampatti Village Panchayat, Harur Taluk, Dharmapuri District. The sixth respondent is his neighbour and he owns property in S.No.3/2. The petitioner would allege that the property of the 6th respondent is situated abutting Highways and he is now putting up unauthorised construction and also causing pollution. Hence, he made a representation to the official respondents on 13.01.2020. Since no action has been taken, he has approached this Court by way of the present writ petition.

4.The learned counsel for the petitioner Mr.K.Thiruvengadam would state that the fourth respondent is the competent authority and the petitioner would be satisfied, if a suitable direction is issued to the fourth respondent to take action on the basis of the representation of the petitioner.

5.Mr.T.N.C.Kaushik, learned Government Counsel appearing for the official respondents would state that on receipt of the representation of the petitioner, the first respondent has forwarded the same to the Pollution Control Board and the grievances of the petitioner can be considered by the fourth respondent.

6.In the light of the above submissions of the learned counsels and also taking note of the prayer sought for in this writ petition, this Court without going into the merits of the matter, directs the fourth respondent to take appropriate action on the basis of the representation of the petitioner, after providing sufficient opportunities to all the necessary parties, in accordance with law. The said exercise shall be completed



within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Sub-Collector,
Harur,
Dharmapuri District.
3. The Thasildar,
Harur Taluk,
Harur,
Dharmapuri District
4. The Block Development Officer,
Harur,
Dharmapuri District.

+1cc to the Government Pleader, S.R.No. 50136

W.P.No.20586 of 2021

SJ(CO)
GN(20/10/2021)