



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY  
AND  
THE HON'BLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.27367 of 2021 and  
W.M.P.No.28878 of 2021

D.Sreenivasalu .. Petitioner

Vs.

1.The District Collector,  
Tiruvallur District, Tiruvallur,  
Chennai - 600 003.

2.The Regional Manager,  
Tiruvallur District TASMACH,  
Tiruvallur - 600 024.

3.The Execution Officer,  
Pallipattu Town Panchayat,  
Tiruvallur District.

4.V.Sangeetha .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus to forbear the 2<sup>nd</sup> respondent from granting permission to start TASMACH shop at the land belonging to the 4<sup>th</sup> respondent.

For Petitioner : Mr.D.Anand Raja

For Respondents : Mr.P.Muthukumar,  
Government Pleader

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of mandamus to forbear the 2<sup>nd</sup> respondent from granting permission to start TASMACH shop at the land belonging to the 4<sup>th</sup> respondent.

2.Mr.P.Muthu Kumar, learned Government Pleader, taking notice for the respondents 1 to 3, on instructions, submitted that the husband of the 4<sup>th</sup> respondent, viz., Thiagarajan, constructed shop in Nehru Nagar, Pallipattu Town Panchayat, Thiruvallur District in Survey No.113/16 and an objection was raised by the Executive Officer of the Pallipattu Town Panchayat on 30.10.2021 for the reason that he was putting up an



unauthorized construction. Further, the learned Government Pleader submitted that notice was also issued to the said Thiagarajan and subsequently, he stopped the construction work. The learned Government Pleader also submitted that so far he has not obtained any approval for putting up the construction in the land. The learned Government Pleader further submitted that since the construction in the land in Survey No.113/16 was stopped by the authorities, the question of permitting TASMAL to run a shop in the said premises shall not arise.

3.As rightly contended by the learned Government Pleader, when the construction of the premises has not yet been completed and that the construction work has been stopped by the authorities, the question of granting permission to run TASMAL shop in the said premises does not arise. In such view of the matter, we are not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True copy//

Sub Assistant Registrar

va

To

- 1.The District Collector,  
Tiruvallur District, Tiruvallur,  
Chennai - 600 003.
- 2.The Regional Manager,  
Tiruvallur District TASMAL,  
Tiruvallur - 600 024.
- 3.The Executive Officer,  
Pallipattu Town Panchayat,  
Tiruvallur District.

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SVI (CO)  
GMY (06/01/2022)