



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.5200 of 2021
and W.M.P. (MD) No.4167 of 2021

Sakila Begum

... Petitioner

Vs

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Executive Officer,
Peravurani Town Panchayat,
Peravurani,
Thanjavur District.
- 3.Barsana Begum

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, to direct the 2nd respondent to take action U/s 216 of Tamilnadu District Municipalities Act, 1920 and to remove the unauthorized construction made by the 3rd respondent in S.F.No.4A/1C2B in Peravurani Town and Taluk, Thanjavur District also initiate prosecution U/s.317 of Tamil Nadu District Municipalities Act, 1920 by considering the petitioner's representation dated 22.02.2021.

For Petitioner

: Mr.K.Baalasundharam

For Respondent Nos.1 & 2

: Mr.K.Mu.Muthu

Additional Government Pleader

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus, to direct the 2nd respondent to take action U/s 216 of Tamilnadu District Municipalities Act, 1920 and to remove the unauthorized construction made by the 3rd respondent in S.F.No.4A/1C2B in Peravurani Town and Taluk, Thanjavur District and to initiate prosecution U/s.317 of Tamil Nadu District



Municipalities Act, 1920, by considering the petitioner's representation dated 22.02.2021.

2.Heard Mr.E.Balasundharam, learned counsel appearing for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for respondent Nos.1 & 2. Though notice has been served on the third respondent and proof of service has been filed, the name of the respondent has not been printed in the cause list. Nevertheless, in the light of the submission made by the learned Additional Government Pleader appearing for respondent Nos.1 and 2, we are inclined to dispose of the Writ Petition.

3.It is submitted that the second respondent has already issued stop work notice, directing the third respondent not to proceed with the construction work. The grievance of the petitioner is that inspite of issuance of stop work notice, construction is going on. If that is so, the second respondent shall conduct spot inspection and see to it that the stop work notice is complied with. If there is any application by the third respondent for building plan approval, the same can be considered on merits and in accordance with law, but no unauthorised construction be permitted.

4.The Writ Petition is disposed of with the above directions. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2021

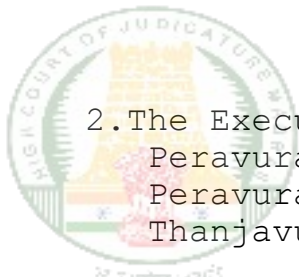
Sub Assistant Registrar(CS)

sj

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 District Collector,
Thanjavur District,
Thanjavur.



2.The Executive Officer,
Peravurani Town Panchayat,
Peravurani,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-17725[F] dated 27/04/2021)

W.P. (MD) No.5200 of 2021
26.04.2021

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