



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2021

CORAM :

WEB COPY

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

W.P. (MD) No.8112 of 2021

Thisaiyanvilai Nagara Makkal Nala
Munnetra Sangam,
Rep. by its Founder and President,
R.P.S.Kartheesan.

.. Petitioner

Vs

1. The Director,
Town and Country Planning Department,
No.807, Anna Salai, Chennai - 600 002.

2. The Joint Director,
District Town Planning Office,
South Bypass Road,
Tirunelveli - 627005.

3. The District Collector,
Tirunelveli District,
Tirunelveli.

4. Rajeswaran

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, to directing the respondents 1 to 3 to demolish the unauthorized school building constructed at Survey Nos.65/A,2A and 12A/1B at Thisaiyanvilai Village, Tirunelveli District.

For Petitioner

: Mr.C.Mayilvahana Rajendran

For respondents

: Mr.K.P.Krishnadoss,
Special Government Pleader
for R1 to R3



ORDER

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

The writ petitioner seeks for a writ of Mandamus to direct the respondents 1 to 3 to demolish the unauthorized school building constructed at Survey Nos.65/A,2A and 12A/1B at Thisaiyanvilai Village, Tirunelveli District.

2. It is seen that already action has been initiated and notice has been issued on 16.03.2020, to the fourth respondent for the illegal constructions. There has been two other communications, dated 24.11.2020 and 21.12.2020, informing the petitioner about the pendency of the matter. It is not clear as to why no further action has been initiated pursuant to the notice, dated 16.03.2020.

3. Since we are disposing of the writ petition without notice to the fourth respondent, we are not expressing anything on the merits of the matter, but we observe that the concerned authority, namely, the second respondent is directed to proceed further pursuant to the notice, dated 16.03.2020, issue fresh notice to the fourth respondent and proceed in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

4. The writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

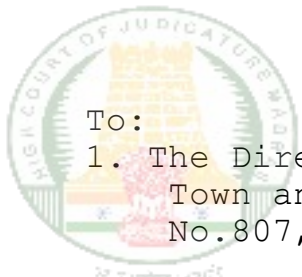
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/ /2021

Sub Assistant Registrar(CS)

pkn

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 Director,
Town and Country Planning Department,
No.807, Anna Salai, Chennai - 600 002.

2. The Joint Director,
District Town Planning Office,
South Bypass Road,
Tirunelveli - 627005.

3. The District Collector,
Tirunelveli District,
Tirunelveli.

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-16875[F] dated 21/04/2021)

+1 CC to M/s.SPL GP (SR-16945[F] dated 21/04/2021)

W.P.(MD) No.8112 of 2021
20.04.2021

RM(05.05.2021) 3P 6C