



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.04.2021

CORAM:

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

W.P.[MD]No.8241 of 2021

S.Anthonysamy

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Trichy District.

2.The Commissioner,
Trichy Municipal Corporation,
Trichy.

3.The Assistant Commissioner,
Ariyamangalam Division,
Trichy Municipal Corporation,
Trichy.

4.A.Sebastian Samikannu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to remove the unauthorized construction made by the fourth respondent situated in comprised TS No.2341 at Varagneri Village popularly known as A.J.Rani Mangala Mahal (Kalyana Mandapam) on the basis of the petitioner's representation dated 23.02.2021.

For Petitioner	: Mr.B.Jameelarasu
For Respondent No.1	: Mr.A.Karthick Government Advocate
For Respondents 2&3	: Mr.N.S.Karthikeyan Standing Counsel

O R D E R

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

Heard Mr.B.Jameelarasu, learned Counsel appearing for the petitioner, Mr.A.Karthick, learned Government Advocate, appearing for the first respondent and Mr.N.S.Karthikeyan, learned Standing Counsel appearing for the respondents 2 and 3. In the light of the order which we propose to pass, notice to the fourth respondent is dispensed with.



2.This writ petition has been filed stating that the fourth respondent has put up unauthorised construction and no action has been initiated by the respondent Municipal Corporation.

WEB COPY

3.Learned Standing Counsel appearing for the Municipal Corporation, on instructions, submitted that stop-work notice has already been issued and a criminal case has been registered against the fourth respondent.

4.The learned Counsel for the petitioner submitted that though stop-work notice is issued, construction is still going on.

5.If that is so, immediate inspection should be conducted by the officials of the Corporation and stop-work notice should be enforced strictly. Not stopping with that, the respondent Corporation should proceed further in the matter and take action. Unless such follow-up action is taken and stringent action is initiated against the unscrupulous builders, the matter cannot be given a quietus. Therefore, we direct the respondent Corporation to take appropriate action in respect of the said unauthorised construction.

6.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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,
Office of the District Collector,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner,
Trichy Municipal Corporation,
Trichy.

3.The Assistant Commissioner,
Ariyamangalam Division,
Trichy Municipal Corporation,
Trichy.

+1 CC to M/s.N.S.KARTHIKEYAN, Advocate (SR-17050[F] dated
22/04/2021)

+1 CC to M/s.SPL GP (SR-17140[F] dated 22/04/2021)

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