



WEB COPY

W.P(MD)No.9214 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P (MD) No.9214 of 2021

and

W.M.P. (MD) No.6941 of 2021

A.Beula Sudha Bai

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District
at Nagercoil.

2.The Executive Officer,
Verkizhambi Town Panchayat,
Kanyakumari District.

3.Dijo Daniel

4.Dhasan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action against the 3rd and 4th respondent and stop the unauthorized construction made in Re-survey No.258/7 and 258/8 in Kumarankudi Village, Thiruvattar Taluk, Kanyakumari District in violation of law, by considering the representation of the petitioner dated 31.03.2021.

For Petitioner : Mr.S.C.Herold Singh

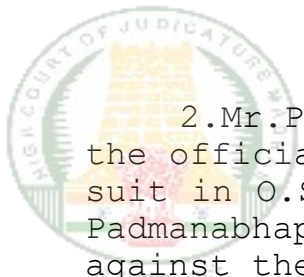
For R1 & R2 : Mr.P.Thilak Kumar

Counsel for Government Pleader

ORDER

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

The petitioner has filed this Writ Petition praying for appropriate directions to the second respondent to proceed further pursuant to the notice, dated 22.02.2021 issued on the ground that the third respondent is putting up unauthorised construction.



2.Mr.P.Thilak Kumar, learned Government Counsel appearing for the official respondents pointed out that the petitioner has filed a suit in O.S.No.31 of 2021 on the file of the District Munsif Court, Padmanabhapuram and an order of interim injunction has been granted against the third respondent in I.A.No.1 of 2021, dated 25.02.2021.

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3.It may be true that the petitioner has filed a suit against the third respondent. However, the grievance of the petitioner in the present Writ Petition is that the third and fourth respondents are putting up unauthorised construction. In fact, the second respondent Town Panchayat has already issued notice, dated 22.02.2021, to the third respondent. However, it is not clear as to why the Executive Officer of Verkizhambi Town Panchayat, second respondent, has not taken any further action in the matter. Therefore, We direct the second respondent to consider the petitioner's representation, dated 31.03.2021 and proceed further pursuant to the notice, dated 22.02.2021 issued to the third respondent, in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

4.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

Mm/cmr

To,

1.The District Collector
Kanyakumari District
at Nagercoil.

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



2.The Executive Officer,
Verkizhambi Town Panchayat,
Kanyakumari District.

+1 CC to M/s.GP (SR-18650[F] dated 02/06/2021)

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**ORDER MADE IN
W.P (MD) No. 9214 of 2021**

01.06.2021

GS (11.06.2021) 3P 4C