



WEB COPY

W.P.(MD).No.11696 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.11696 of 2021

and

W.M.P (MD) .No.9200 of 2021

M.Thillai Ambalavanan

... Petitioner

Vs

1. The Commissioner,
Tirunelveli Corporation,
Tirunelveli.

2. The Executive Officer,
Arulmighu Nellaiyappar Gandhimathi Amman Temple,
Tirunelveli.

3. P.Nobshigh

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 28.06.2021 and 21.09.2020 and to remove the unauthorized construction made by the third respondent in Door No.282,282A1,282A2 and 282B, T.S.Ward No.4, Block No.3, T.S.No.539, Bharathiyar Street, Tirunelveli Town, Tirunelveli District.

For Petitioner

: Mr.M.Gangatharan

For respondents

: Mr.Ayiram K.Selvakumar,
for R1

ORDER

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

We have heard Mr.M.Gangatharan, learned counsel appearing for the petitioner and Mr.Ayiram K.Selvakumar, learned counsel appearing for the first respondent.

2. The writ petitioner seeks for a direction upon the respondents 1 and 2 to consider the petitioner's representation dated 28.06.2021 and 21.09.2020 and to remove the unauthorized construction made by the third respondent in Door No.282,282A1,282A2



and 282B, T.S.Ward No.4, Block No.3, T.S.No.539, Bharathiyar Street, Tirunelveli Town, Tirunelveli District.

3. In the light of the submissions made by the learned counsel appearing for the first respondent-Corporation, we are disposing of this writ petition without notice to the respondents 2 and 3.

4. The petitioner would allege that the third respondent is putting up a non-residential building in the property in question in violation of the approved building plan.

5. The learned Standing Counsel appearing for the first respondent-Corporation submitted that already action has been taken and notice dated 30.06.2021 has been issued and the construction has been stopped and the matter will be proceeded further utmost earnestness.

6. This submission is placed on record and we direct the first respondent-Corporation to proceed in accordance with law, pursuant to the notice dated 30.06.2021, strictly adhering to time frame.

7. With the above directions, this **Writ Petition stands disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

Note : 1. 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 Commissioner,
Tirunelveli Corporation,
Tirunelveli.

W.P. (MD) No.11696 of 2021

14.07.2021

RD(23.07.2021) 2P 2C