



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.6279 of 2019

T.Prabhakaran

... Petitioner

Vs.

- 1.The District Collector
Thanjavur District
Thanjavur.
- 2.The Superintendent of Police
Thanjavur District
Thanjavur.
- 3.The Tahsildar
Budalur Taluk
Thanjavur District.
- 4.The Executive Officer
Thirukkattupalli Selected
Grade Panchayat
Thirukkattupalli
Thanjavur District.
- 5.The Inspector of Police
Thirukkattupalli Police Station
Thirukkattupalli
Thanjavur District.
- 6.R.N.T.Senthilkumar
- 7.R.N.Thangamani Chettiar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to grant permission and to provide police protection to the petitioner to demolish the dilapidated condition building situated in Door Nos.85, 87 and 89 at Kudamurutti Line Karai, Thirukkattupalli Selection Grade Panchayat, Budalur Taluk, Thanjavur District on the basis of the complied the Demolished Notices issued by the 4th respondent in (1) Na.Ka.No.1/99A2 dated 13.12.1999, (2) Na.Ka.No.70/2018/A1 dated 05.09.2018 and (3) Na.Ka.No.70/2018/A1 dated 03.10.2018.



For Petitioner : Mr.B.Anandan

For Respondents : Mr.J.Gunaseelan Muthiah,
Addl. Govt. Pleader R1 to R5
No Appearance for R6 & R7

WEB COPY

ORDER

Though the prayer sought for in this writ petition is to direct the respondents 1 to 5 to grant permission and provide police protection to the petitioner to execute the task of demolishing the building which is in a dilapidated condition, situated in the property purchased by the petitioner, the very notice, dated 03.10.2018, issued by the fourth respondent clearly, indicates that as the building is in a dilapidated condition, if the tenant or the land owner will not take any action to demolish the building, the same will be demolished by the Thirukkattupalli Panchayat and the expenses will be recovered from the land owner.

2. In such view of the matter, this Court is of the view that the since tenant is in occupation of the building and the building is in a dilapidated condition, it is for the authorities concerned to take appropriate action to demolish the said building, as per law and recover the expenses, if any, from the concerned person, who is in occupation of the said building.

3. With the above observation, this Writ Petition is closed.
No costs.

Sd/-

Assistant Registrar

// 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.

To

1.The District Collector
Thanjavur District
Thanjavur.

2.The Superintendent of Police
Thanjavur District
Thanjavur.

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



3.The Tahsildar
Budalur Taluk
Thanjavur District.

4.The Executive Officer
Thirukkattupalli Selected
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Thanjavur District.

5.The Inspector of Police
Thirukkattupalli Police Station
Thirukkattupalli
Thanjavur District.

+2 CC to Mr.B.ANANDAN, Advocate (SR-5703[F] dated 17/02/2021)

+1 CC to SPL GP (SR-5949[F] dated 18/02/2021)

W.P. (MD)No.6279 of 2019

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(MJ)

KV(26.02.2021) 3P 9C