



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.15970 of 2021

WEB COPY

Jahir Hussain

... Petitioner

Vs.

The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to dispose of the petitioner's representation dated 05.03.2021 submitted for demolition of the building owing to its dilapidated condition of the building situated in T.S.No.155, Ward No.14, Ambalakkaran Street, Ramanathapuram Town, Ramanathapuram District within a time frame by this Court.

For Petitioner : Mr.B.Prahalad Ravi
For Respondent : Mr.A.Kannan
Standing Counsel

ORDER

The petitioner seeks the consideration of the representation dated 05.03.2021 for demolition of the building situated at T.S.No.155, Ward No.14, Ambalakkaran Street, Ramanathapuram Town, Ramanathapuram District.

2. The petitioner states that the above mentioned property was constructed about 80 years ago. The petitioner and his brother claim title to the said property by succession from their father. The petitioner states that the building is in a dilapidated condition and that therefore a representation was carried to the respondent herein seeking permission for demolition thereof. The petitioner cites Rule 12 of the Tamil Nadu Combined Development Building Rules, 2019 in this regard. It is also averred that the petitioner and his brother are in absolute possession and enjoyment of the property without any encumbrances from any quarter.

3. Mr.A.Kannan, learned Standing Counsel, accepts notice on behalf of the Ramanathapuram Municipality.

4. The petitioner has enclosed copies of the registered settlement deed in the name of his son and his brother's daughter as regards the property in question. The relevant representation has



also been enclosed.

5. Accordingly, without going into the merits of the matter, the respondent herein is directed to consider the petitioner's representation dated 05.03.2021 and dispose of the same by a reasoned order in accordance with law after providing a reasonable opportunity to the petitioner and any other person who would be affected by the demolition of such building. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.15970 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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 Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.A.KANNAN, Advocate (SR-28841[F] dated 13/09/2021)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-28776[F] dated 09/09/2021)

**W.P(MD)No.15970 of 2021
08.09.2021**

RD(16.09.2021) 2P 4C