



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Eighth day of October Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice M.DURAI SWAMY
and

The Hon`ble Mr.Justice K.MURALI SHANKAR

WMP (MD) No.15342 of 2021
IN
WP (MD) No.8033 of 2020

1 S.PORKAI MARAN
2 N.KANNAN
3 E.SANKAR
4 S.ANTHONY GNANA HENSON
5 S.SENTHIL NARAYANAN ... PETITIONER/ PROPOSED RESPONDENTS 8 TO 12

Vs

1 S.FERDIN RAYAN ... 1st RESPONDENT / PETITIONER

2 THE STATE OF TAMIL NADU,
REPRESENTED BY ITS SECRETARY,
HOUSING AND URBAN DEVELOPMENT,
SECRETARIAT,
FORT ST. GEORGE,
CHENNAI -600 009.

3 THE COMMISSIONER OF MUNICIPAL ADMINISTRATION,
EZHILAGAM ANNEX,
6TH FLOOR, KAMARAJAR SALAI,
CHEPAUK, CHENNAI.

4 THE DIRECTOR,
THE TOWN AND COUNTRY PLANNING DEPARTMENT,
No.807, ANNASALAI, CHENNAI.

5 THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT,
TIRUNELVELI.

6 THE COMMISSIONER,
TIRUNELVELI CORPORATION,
TIRUNELVELI.

7 THE MEMBER SECRETARY,
TIRUNELVELI LOCAL PLANNING AUTHORITY,
TOWN AND COUNTRY PLANNING DEPARTMENT,



8 J.VINOTH KUMAR PHILIP

... RESPONDENTS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to implead the petitioners herein as respondents 8 to 12 in the above W.P.(MD)No.8033 of 2020 pending disposal of the above writ petition and thus render justice.

Prayer in WP(MD). 8033/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the respondents to initiate appropriate legal action to demolish the unauthorized constructions put-up in T.S.No. 75/1A2A and T.S.No. 75/8, Perumalpuram, Palayam Kottai, in violation of the approved plan as per their communication sent by the 6th respondent dated 17.02.2020 within the time frame stipulated by this Honourable Court and to restrain the 7th respondent, from using the said building for any other purpose, than for which approval was granted.

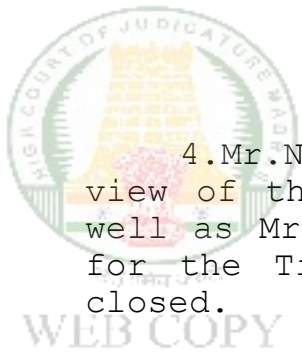
ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.N.G.R.PRASAD, Advocate for Mr.C.CHRISTOPHER, Advocate for the petitioner and of Mr.P.THILAK KUMAR, Government Pleader for respondents 2 to 5 and 7 and Mr.AAYIRAM K.SELVAKUMAR, Standing Counsel for the 6th respondent, the court made the following order:-

(Order of the Court was made by M.DURAI SWAMY, J)

Mr.N.G.R.Prasad, learned Senior Counsel made a representation that the authorities have come to the hospital for locking and sealing the building and that there are patients inside the hospital, hence proper arrangement should be made to shift the patients to some other hospital before locking and sealing.

2.When the learned Senior Counsel made a mention before this Court at 10.30 a.m., Mr.P.Thilakkumar, learned Government Pleader appearing for the respondents 2 to 5 and 7, immediately spoke to the District Collector, Tirunelveli and made arrangements for shifting the patients from the hospital which is in dispute to some other hospitals. Mr.Aayiram K.Selvakumar, learned Standing Counsel appearing for the sixth respondent was also present.

3.When the matter is taken up for hearing today at 1.20 p.m, Mr.P.Thilak Kumar, learned Government Pleader as well as Mr.Aayiram K.Selvakumar, learned Standing Counsel appearing for the Tirunelveli Municipality submitted that all the patients were shifted and accommodated in some other hospitals and that safety of the patients have been ensured.



4.Mr.N.G.R.Prasad, learned Senior Counsel submitted that in view of the submissions made by the learned Government Pleader as well as Mr.Aayiram K.Selvakumar, learned Standing Counsel appearing for the Tirunelveli Municipality, the impleading petition may be closed.

5. This Court also appreciate the District Collector, the Commissioner of Tirunelveli Corporation and the officials of the Medical Department for promptly shifting all the patients from the hospital building which is in dispute and accommodating them in some other hospitals.

6.Accordingly, the impleading petition is closed.

sd/-
08/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 SECRETARY,
STATE OF TAMIL NADU,
HOUSING AND URBAN DEVELOPMENT,
SECRETARIAT,
FORT ST. GEORGE,
CHENNAI -600 009.
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ORDER
IN
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IN
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Date :08/10/2021

MK/VR/SAR.IV/13.10.2021/3P/7C