



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

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THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.NO.2358 OF 2022 AND WMP.NO.2517/2022

M.Sakthivel

...Petitioner

Vs

1.The District Collector,
Tirupattur District,
Tirupattur.

2.The Revenue Divisional Officer,
Tirupattur,
Tirupattur District.

3.The Tahsildhar,
Vaniyambadi Taluk,
Tirupattur Taluk.

4.A.Christ Amose

...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 3 herein to demolish the unauthorised Church construction situated in S.No.123/5A, 123/5B in Sammanthikuppam Village, Aalangayam Panchayat Union, Thirupathur District, based on the petitioner's various representations dated 22.07.2019, 28.12.2019, 01.12.2020.

For Petitioner : Mr.G.Karthikeyan

For Respondents : Mr.K.V.Sajeevkumar,
1 to 3 Spl.G.P.

ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to demolish the unauthorised Church construction situated in



S.No.123/5A, 123/5B in Sammanthikuppam Village, Aalangayam Panchayat Union, Thirupathur District, based on the petitioner's various representations dated 22.07.2019, 28.12.2019, 01.12.2020.

2. The matter was listed today under the caption, 'for admission'.

3. Learned Counsel appearing for the petitioner would submit that the 4th respondent has put up an unauthorized construction in S.No.123/5A and 123/5B in Sammanthikuppam Village, Aalangayam Panchayat Union, Thirupathur District. Objecting the same, though several representations have been given to the 1st respondent and others stating that no planning permission was obtained and the relevant rules and regulations of the building plan also has not been complied with, but, there was no response from the respondents. Hence, the petitioner has approached this Court by filing the present Writ Petition.

4. Mr.K.V.Sajeev Kumar, learned Special Government Pleader taking notice for the respondents 1 to 3, on instructions, submitted that it is true that without obtaining any planning permission from the competent authority, the 4th respondent has put up unauthorised constructions in the place-in-question. Therefore, instead of issuing notice to him, this writ petition may be disposed of by directing the 1st respondent to consider the representations of the petitioner dated 22.07.2019, 28.12.2019, 01.12.2020.

5. Considering the facts and circumstances of the matter, we hereby direct the 1st respondent, namely, the District Collector, Tirupattur District, Tirupattur, to consider the representations give by the petitioner dated 22.07.2019, 28.12.2019 and 01.12.2020 on merits and in accordance with law, after issuing proper notice to both sides and decide the matter finally, within a period of eight weeks from the date of receipt of a copy of this Order.

6. With the above direction, the present Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

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To

1.The District Collector,
Tirupattur District,
Tirupattur.

2.The Revenue Divisional Officer,
Tirupattur,
Tirupattur District.

3.The Tahsildhar,
Vaniyambadi Taluk,
Tirupattur Taluk.

+1cc to M/s.G.Karthikeyan, Advocate Sr.No.9430

W.P.No.2358/2022

PL(CO)
RVM(24/02/2022)