



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.NO.14283 OF 2022
AND
W.M.P.NO.13517 OF 2022

M.Dhanrajan

... Petitioner

.Vs.

1. The District Collector,
Villupuram District,
Villupuram - 605 602.
2. The Commissioner,
Villupuram Municipality,
Villupuram.
3. The Tahsildar,
Villupuram.
4. M.Jayarajan

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action against the unauthorized development carried out by the 4th respondent in the property in Door No.195, East Pondy Road, Villupuram and thereby restore the said property to its original position.

For Petitioner : Mr.N.Suresh

For R1 to R3 : Mr.K.V.Sajeev Kumar
Special Government Pleader



O R D E R

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

WEB COPY The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action against the unauthorized development carried out by the 4th respondent in the property in Door No.195, East Pondy Road, Villupuram, and thereby, restore the said property to its original position.

2. When the matter is taken up for hearing, Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents 1 to 3, submitted that the 4th respondent is the brother of the writ petitioner and that a civil suit in O.S.No.35 of 2020 on the file of the Principal District Munsif, Villupuram, is also pending between the petitioner and the 4th respondent. Further, the learned Special Government Pleader submitted that an order of injunction was also granted by the trial Court on 15.06.2020 in I.A.No.146 of 2020. Further, the learned Special Government Pleader submitted that the 2nd respondent also issued stop-work notice under Sections 197, 297 and 209 of the Tamil Nadu District Municipalities Act, 1920, on 25.04.2022 and that, after the issuance of the said notice, the 4th respondent had stopped the construction of the superstructure and no further construction is being carried out in the property in dispute.

3. The learned counsel appearing for the petitioner submitted that the submission made by the learned Special Government Pleader may be recorded and the writ petition may be closed.

4. Having regard to the submission made by the learned counsel for the petitioner and also the submission made by the learned Special Government Pleader, recording the submission made by the learned Special Government Pleader to the effect that the 4th respondent is not continuing with the construction after the issuance of the stop-work notice, dated 25.04.2022, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mkn



To

1. The District Collector,
Villupuram District,
Villupuram - 605 602.
2. The Commissioner,
Villupuram Municipality,
Villupuram.
3. The Tahsildar,
Villupuram.

+1cc to Mr.N.Suresh, Advocate, S.R.No.34064

W.P.NO.14283 OF 2022

MT (CO)
PBS/20/06/2022