



W.P.No.23798 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE Mr.JUSTICE KUMARESH BABU

W.P.No.23798 of 2022

Abdul Rawoof

... Petitioner

Vs

- 1.The Senior Town Planner
Town and Country Planning Department
Government of Puducherry
Puducherry.
- 2.The District Collector
Office of the District Collector
Karaikal - 609 602
Karaikal District.
- 3.The Deputy Collector
Revenue cum Sub-Divisional Magistrate, Karaikal
Office of the Deputy Collector, Revenue
Karaikal - 609 602
Karaikal District.
- 4.The Chairman
Karaikal Planning Authority
Perunthalaivar Kamaraj Administrative Complex



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Karaikal - 609 602
Karaikal District.

5.The Member Secretary
Karaikal Planning Authority
Perunthalaivar Kamaraj Administrative Complex
Karaikal - 609 602
Karaikal District.

6.The Commissioner
Karaikal Municipality
Karaikal - 609 602
Karaikal District.

7.A.Sarbudeen

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the fifth respondent to comply with his order vide order No.UAC/03/KPA/KM/2022/296 dated 29.03.2022 and to take immediate action to remove the illegal, unauthorized and dangerous constructions put up by the seventh respondent within a time frame fixed by this Court.

For Petitioner : Mr.Jerry V.V.Sundar

For Respondents : Mr.R.Sreedhar
Additional Government Pleader
for RR1 to 6

Mr.K.Sasindran for R7



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ORDER

[Order of the Court was made by R.SUBRAMANIAN.JI]

Mr.R.Sreedhar, learned Additional Government Pleader appearing for Karaikal Planning Authority would submit that the Planning Authority has required the seventh respondent, the owner of the building to effect certain strengthening measures, before proceeding with the construction, in order to enable the authority to consider the request for approval of the building plan, and a copy of the letter dated 22.11.2022 has also been produced.

2. In view of the same and the fact that action that has been taken by the Karaikal Planning Authority, we would dispose of the writ petition with a direction to Karaikal Planning Authority to pursue action to its logical end. It will be open to the Planning Authority to pass orders either approving the construction or if it chooses to reject, it can proceed with appropriate action for removal of deviated and dangerous construction. No costs.

[RSMJ] [KBJ]
30.11.2022

Index : No
Speaking order
ds



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To:

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