



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)Nos.9332 and 5606 of 2011

and

M.P. (MD)Nos.1, 1, 2 and 2 of 2011 and 1 of 2014

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W.P. (MD)No.9332 of 2011

P.Mohanakrishnan

... Petitioner

versus

1. The Member Secretary,
Local Planning Authority,
Madurai Corporation Buildings
3rd Floor,
Anna Maligai,
Madurai - 2.
2. The Director,
Directorate of City Town Planning,
807, Anna Salai,
Chennai - 600 002.
3. The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai - 625 020.
4. The Managing Director,
Tamilnadu Housing Board,
493, Anna Salai,
Nandanam,
Chennai.
5. The Executive Engineer,
Tamilnadu Housing Board,
Ellis Nagar,
Madurai - 625 016.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to forbear the respondents 4 and 5 from constructing the building in the petitioner's land in R.S.No.217/1B3, Madakulam Village, Madurai South Taluk, without approval from the respondent Nos.1 to 3, consequently, forbear the respondent Nos.1 to 3 from granting approval to the construction of the said building in the petitioner's property.



For Petitioner : Mr.K.Muthu Ganesa Pandian
For R1 & R2 : Mr.G.Suriyananth
Additional Government Pleader
For R3 : No appearance
For R4 & R5 : Mr.M.Mohaboob Athiff

W.P. (MD) No.5606 of 2011

P.Mohanakrishnan ... Petitioner
versus

1. State of Tamil Nadu,
Rep. by the Secretary to the Government,
Housing and Urban Development Department,
Chennai - 9.
2. The District Collector,
Collectorate Campus,
Madurai District.
3. The Special Tahsildar,
Land Acquisition,
Ellis Nagar Scheme,
Collectorate Campus,
Madurai - 625 020.
4. The Managing Director,
Tamilnadu Housing Board,
493, Anna Salai,
Nandanam,
Chennai.
5. The Executive Engineer,
Tamilnadu Housing Board,
Ellis Nagar,
Madurai - 625 016.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned declaration dated 01.04.1982 issued by the first respondent herein and quash the same as arbitrary, unconstitutional and illegal and consequently, direct the respondents herein to remove their construction materials dumped in the lands comprised in R.S.No.217/1B3, Madakullam Village, Madurai South Taluk and also to restore the above said lands to the petitioner, within the time stipulated by this Court.



For Petitioner : Mr.K.Muthu Ganesa Pandian
For R1 to R3 : Mr.G.Suriyananth
Additional Government Pleader
For R4 & R5 : Mr.M.Mohaboob Athiff

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COMMON ORDER

The learned counsel appearing for the petitioner as well as the learned counsel appearing for 4th and 5th respondents submit that the relief sought for in these writ petitions have become infructuous. Both the counsel made an endorsement to that effect.

2. In view of the endorsement made by the learned counsel on either side, these writ petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

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/ /2022
Sub Assistant Registrar(CS)

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To

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Local Planning Authority,
Madurai Corporation Buildings
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2. The Director,
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493, Anna Salai,
Nandanam,
Chennai.



5. The Executive Engineer,
Tamilnadu Housing Board,
Ellis Nagar,
Madurai - 625 016.

6. The Secretary to the Government,
Housing and Urban Development Department,
Chennai - 9.

7. The District Collector,
Collectorate Campus,
Madurai District.

8. The Special Tahsildar,
Land Acquisition,
Ellis Nagar Scheme,
Collectorate Campus,
Madurai - 625 020.

+1 CC to M/s.R. MURALI, Advocate (SR-17850[F] dated 11/04/2022)
W.P. (MD)Nos.9332 and 5606 of 2011
08.04.2022

MGJ(27.04.2022) 4P 10C