



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

**THE HONOURABLE MR.JUSTICE PARESH UPADHYAY
and**

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No.8044 of 2022

T.Sermadurai

.. Petitioner

Vs

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai.
- 2.The Director,
O/o. The Director,
Town and Country Planning,
St. George Fort,
Chennai.
- 3.The Assistant Director,
Town and Country Planning Department,
South Bye-Pass Road,
Xavier Colony,
Tirunelveli Region,
Tirunelveli - 627 005.
- 4.The Assistant Director,
O/o. The Assistant Director of Town Panchayats,
NGO Colongy,
Palayamkottai, Tirunelveli District.
- 5.The Executive Officer,
Town Panchayat,
Thisayanvilai Town Panchayat,
Thisayanvilai,
Tirunelveli District.
- 6.The District Collector,
Tirunelveli,
Tirunelveli District.



7.The Regional Officer,
Fire and Rescue Department,
Tirunelveli Region,
Tirunelveli.

8.V.S.R.Jegadeesh

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the Respondents 2 to 7 to institute appropriate legal actions against the above-named 8th Respondent for making unauthorized construction of his VSR Grand Mall in violation of the sanctioned plan of the building, on the basis of the Petitioner's representations dated 13.03.2022 and 22.03.2022.

For Petitioner : Mr.B.N.Raja Mohamed
For Respondents : Mr.J.Ashok
Additional Government Pleader
for R1 to R7

ORDER

(Made by R.VIJAYAKUMAR,J.)

1. The present writ petition has been filed seeking a writ of mandamus directing respondents 2 to 7 to institute appropriate legal actions against the eighth respondent on the alleged ground that the VSR Grand Mall constructed was in violation of the sanctioned building plan.

2. A perusal of the affidavit shows that in paragraphs 5,8 and 10, the petitioner has stated that "*it is brought to his knowledge from the public*". However, it is made clear that the petitioner is not having any personal knowledge about the facts, which he sworn in his affidavit. In addition to that, the petitioner has sent several representations to the statutory authorities and it seems that he is running after the eighth respondent. If at all, the construction made by the eighth respondent is in violation of the approved plan, it is for the statutory authorities to consider it and pass appropriate orders. However, we are not inclined to interfere in this matter at the instance of the writ petitioner whose bonafides we are suspecting.

3. In view of above, W.P.(MD) No. 8044 of 2022 is dismissed. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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O/o. The Director,
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- 7.The Regional Officer,
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Tirunelveli Region,
Tirunelveli.

+1 CC to M/s.SPL.GP. (SR-21906[F] dated 27/04/2022)

W.P(MD)No.8044 of 2022
26.04.2022

DKS (CO)
GC(16.05.2022) 3P 9C