



W.P.(MD)No.17996 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.17996 of 2021
and
WMP(MD) No.14862 of 2021

R.S.Murugan

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Madurai District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional
Office, Madurai District.
3. The Tahsildar,
Office of the Taluk Office, T.Vadipatti
Taluk, Madurai District.
4. The Deputy Director of Town,
Panchayat, Madurai District , Madurai.
5. The Executive Officer,
Alanganallur Town Panchayat,
Alanganallur, Madurai District.
6. The District Environmental Engineer,
Tamilnadu Pollution Control Board,



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SIDCO Industrial Estate,
Kappaloor, Thirumangalam,
Madurai District.

7. The Superintendent of Police,
Office of the Superintendent of Police,
Alagakovil Road, Madurai,
Madurai District.

8. The Sub Inspector of Police,
Alanganallur Police Station, Madurai.

9. The Executive Engineer (Distribution),
TANGEDCO, Samayanallur-625402,
Madurai District.

10. N.Venkatesh Prabhu

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 9 herein to consider petitioner's representation dated 22.07.2021 for taking necessary action as against tenth respondent for unauthorized commercial construction in a residential area and running the lathe and welding works in the name and style of Sabari Engineering (Lathe and Welding) Works at Plot No.5 Sri Muniyandi Nagar, (Kettu Kadai Theru) comprised in S.No.301/1A, 301/2, Alanganallur Town Panchayat, Madurai District in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner

: Mr.P.Mahendran

For Respondents

: Mr.V.Nirmal Kumar
Government Advocate
for R1 to R5
Mr.T.Senthil Kumar



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Additional Public Prosecutor
for R7 and R8

Ms.Vijayakumari Natarajan for R6

Mr.S.M.S.Johnny Basha for R9

Mr.K.Saravana Kumar for R10

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents 1 to 9 to take necessary action as against the tenth respondent for the unauthorized commercial construction in the residential area by running a lathe and welding works in the name and style of “Sabari Engineering (Lathe and Welding) Works” at Plot No. 5 Sri Muniyandi Nagar, (Kettu Kadai Theru) comprised in S.No.301/1A, 301/2, Alanganallur Town Panchayat, Madurai District, based on his representation dated 22.07.2021, within a time frame.

2. Heard Mr.P.Mahendran, learned counsel for the petitioner; Mr.V.Nirmal Kumar, learned Government Advocate, appearing for the respondents 1 to 5; Mr.T.Senthil Kumar, learned Additional Public Prosecutor, appearing for the respondents 7 and 8; Ms.Vijayakumari Natarajan, learned counsel for the sixth respondent; Mr.S.M.S.Johnny Basha, learned counsel



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appearing for the 9th respondent and Mr.K.Saravana Kumar, learned counsel for the tenth respondent.

3. Pointing out that the tenth respondent has put up the aforesaid unauthorised construction for his commercial activities, the petitioner submitted a representation dated 22.07.2021, to the official respondents and the same, according to learned counsel for the petitioner, is unattended.

4. In reply, the learned counsel for the tenth respondent submitted that the tenth respondent has not put up any unauthorised construction as alleged by the petitioner and he is ready to produce necessary documents before the competent authority, if required.

5. In view of the above submissions of the learned counsel for the parties, without expressing any opinion on the merits of the case, this Writ Petition is disposed of, with a direction to the respondents 1 to 9, to inspect the place in question and if there is any unauthorised construction as claimed by the petitioner, necessary action shall be taken after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight weeks from the date of



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receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
24.11.2022

Internet : Yes / No
Index : Yes / No
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