



W.P(MD)No.22102 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

CORAM:

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

**W.P(MD)No.22102 of 2022
and
W.M.P(MD)No.16258 of 2022**

N.Rajendran

... Petitioner

VS.

1.The District Collector,
Tirunelveli District,
Kokkirkulam,
Tirunelveli – 9.

2.The Assistant Director of Rural Development,
Village Panchayat,
Tirunelveli.

3.The Block Development Officer,
Manur Union,
Manur,
Tirunelveli District.

4.The President,
Manur Taluk,
Tirunelveli District.

5.Packiyasamy @ Pannaiyar
6.K.Palpandi
7.P.Gobi

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal construction made in Survey No.10/1D, Sundankuruchi Village, Manur Taluk, Tirunelveli District based on the representation, dated 04.08.2022.

For Petitioner	: Mr.S.Kumar
For RR 1 & 2	: Mr.S.P.Maharajan Special Government Pleader
For RR 3 & 4	: Mr.N.GA.Nataraj Government Advocate

ORDER

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

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents 1 & 2 and Mr.N.GA.Nataraj, learned Government Advocate takes notice for the respondents 3 and 4.

2. Since this Writ Petition is disposed of at the admission stage itself and considering the nature of relief sought for by the petitioner, notice to the respondents 5 to 7 is dispensed with.



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3. The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal construction made in Survey No.10/1D, Sundankuruchi Village, Manur Taluk, Tirunelveli District based on the representation of the petitioner, dated 04.08.2022.

4. The learned counsel appearing for the petitioner submitted that the subject property originally belonged to the predecessor-in-title of the petitioner, namely Muthu Irulappa Thevar as per re-settlement register and the patta No.1306 stands in the name of the petitioner's father. However, without obtaining planning permission from the competent authority, the respondents 5 to 7 are doing construction work in the subject property, which compelled the petitioner to submit a representation, dated 04.08.2022, to the respondents 1 to 4 requesting to remove the said illegal construction. Finding no response on the same, the present writ petition came to be filed by the petitioner.

5. Considering the facts and circumstances of the case and having regard to the grievance expressed by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the respondent



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authorities to consider the representation of the petitioner dated 04.08.2022 and take appropriate action, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the respondents 5 to 7 as well as any other interested parties, as expeditiously as possible.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D.,J.] [J.S.N.P.,J.]
20.09.2022

Index : Yes / No
Internet : Yes
ps



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R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
W.P(MD)No.22102 of 2022**

20.09.2022