



W.P.(MD) No.22122 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.22122 of 2022

V.Meera

... Petitioner

-Vs-

1.The Block Development Officer,
Panchayat Union Officer,
Avudaiyarkovil, Pudukkottai District.

2.The Union Chairman,
Panchayat Union Officer,
Avudaiyarkovil, Pudukkottai District.

3.The Panchayat President,
Panchayat Board Office,
Avudaiyarkovil Panchayat,
Avudaiyarkovil, Pudukkottai District.

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4.R.Narasimman

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to stop the unauthorized construction whatever does by the 4th respondent in the land comprised in Avudaiyarkovil Village Old Survey Nos.279/1 and 279/3 and New Survey Nos. 279/1 and 279/3A and in the land comprised in Avudaiyarkovil Village Old Survey No.155/2 part and New Survey No.380/5 on the basis of the petitioner's representation dated 29.08.2022.

For Petitioner : Ms.S.Jenifer Evengelin Veronica
For R1 to R3 : Mr.P.Thilak Kumar,
Government Pleader

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

The prayer sought for in the Writ Petition is to direct the respondents 1 to 3 to stop the unauthorized construction put up by the 4th respondent in the land comprised in Avudaiyarkovil Village old Survey Nos.279/1 and 279/3 and new Survey Nos.279/1 and 279/3A and in the land comprised in Avudaiyarkovil



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Village old Survey No.155/2 part and new Survey No.380/5 on the basis of the petitioner's representation dated 29.08.2022.

2.By consent of both parties, this Writ Petition itself is taken up for final disposal at the admission stage.

3.Mr.P.Thilak Kumar, learned Government Pleader takes notice for the respondents 1 to 3. Since no adverse order is going to be passed against the 4th respondent, notice to the 4th respondent is dispensed with.

4.The grievance of the petitioner is that the properties in question belong to her father, namely, V.K.Ramu. The 4th respondent, who is none other than the brother of the petitioner, is taking efforts to construct unauthorized construction in the properties in question without obtaining proper permission from the authorities. Hence, the petitioner sent a representation to the official respondents on 29.08.2022 to stop the said unauthorized construction. Since the same has not been considered so far, the petitioner has filed this Writ Petition.



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5. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents 1 to 3.

6. The dispute between the petitioner and the 4th respondent is of civil in nature and therefore, the petitioner has to approach the competent Civil Court to work out her remedy.

7. Thus, we close the Writ Petition, leaving it open to the petitioner to approach the competent Civil Court for appropriate relief. No costs.

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

20.09.2022

Index : Yes / No

Internet : Yes / No

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