



*W.P(MD)No.9182 of 2015*

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2022**

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.9182 of 2015**

**and**

**M.P(MD)No.1 of 2015**

R.Karmegam

... Petitioner

Vs.

1.The Commissioner,  
Madurai Municipal Corporation,  
Aringyar Annamaligai,  
Madurai-625 020.

2.The Executive Engineer,  
Town Planning Section,  
Aringyar Annamaligai,  
Madurai-625 020.

3.V.Muthukrishnan

4.M.Hariharasudan

5.M.Venkateswaran

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 taking into the account of the representation dated



*W.P(MD)No.9182 of 2015*

13.03.2015 to file an action taken report within stipulated period before this Court.

|                |                                                |
|----------------|------------------------------------------------|
| For Petitioner | : Mr.P.Balamurugan<br>for Mr.V.Vinayagamorthy  |
| For R1 & R2    | : Mr.T.S.Mohammed Mohideen<br>Standing Counsel |
| For R3 - R5    | : Mr.V.Sathurthy Raja<br>for Mr.S.Natesh Raja  |

### **ORDER**

The present writ petition has been filed seeking a writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner, dated 13.03.2015.

2. According to the learned counsel for the petitioner, the respondents 3 to 5 have put up construction in violation of the building plan approval and hence, he has sent a representation for initiating action as against the private respondents.

3. The learned counsel appearing for the private respondents brought to the notice of the Court that pursuant to the complaint lodged



*W.P(MD)No.9182 of 2015*

by the writ petitioner, a show cause notice was issued to the private respondents. Since no further action was initiated pursuant to the show cause notice, the petitioner had filed Public Interest Litigation in W.P(MD)No.16406 of 2016. The Hon'ble Division Bench was pleased to arrive at a finding that the private respondents have already filed revised plan and till such revised plan is properly disposed of by the official respondents, the impugned notice shall be kept in abeyance.

4. The learned counsel for the petitioner submits that the revised plan submitted by the private respondents has been returned by the authorities and thereafter, there is no further progress. The petitioner has also filed another writ petition in W.P(MD)No.13075 of 2021, which is said to be pending.

5. According to the learned counsel for the petitioner, he has filed another writ petition, seeking direction as against the corporation authorities to implement the order of demolition, which they have already passed.



*W.P(MD)No.9182 of 2015*

6. In view of the above said facts, it is clear that the respondents 1 and 2 have already initiated action as per the representation of the petitioner, dated 13.03.2015. The said actions are under challenge in two different writ petitions, which are said to be pending.

7. This Writ Petition is closed, granting liberty to the petitioner to pursue his remedy in the other writ petitions, which are said to be pending. No costs. Consequently, connected Miscellaneous Petition is also closed.

**01.12.2022**

Index : Yes / No  
Internet : Yes / No

gbg

To

1.The Commissioner,  
Madurai Municipal Corporation,  
Aringyar Annamaligai,  
Madurai-625 020.

2.The Executive Engineer,  
Town Planning Section,  
Aringyar Annamaligai,  
Madurai-625 020.



WEB COPY



*W.P(MD)No.9182 of 2015*

**R.VIJAYAKUMAR ,J.**

gbg

Order made in  
W.P(MD)No.9182 of 2015

Dated:  
01.12.2022