



W.P.(MD)No.15783 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.12.2022

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.15783 of 2016

and

M.P.(MD).Nos.11576 & 11577 of 2016

P.Suyamby

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director,
(Village Panchayat)
Tirunelveli,
Tirunelveli District.

3.The Block Development Officer,
(Village Panchayat)
Valliyoor Panchayat Union,
Valliyoor, Tirunelveli District.

4.The Inspector of Police,
Palavoor Police Station,
Tirunelveli District.

5.A.Muthulingam

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus, directing the respondents No.1



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to 4 to take appropriate action against the 5th respondent and prevent unauthorized construction in Survey No.190/3A6, Palavoor Village Part-II, in New Ward No.1 at Chidambarapuram, Tirunelveli District.

For Petitioner :Mr.A.Joel Paul Antony
For Respondents :Ms.D.Farjana Ghowsia
Special Government Pleader for R1 to R3
Mr.R.M.S.Sethuraman
Additional Public Prosecutor for R4
:Mr.T.Lajapathiroy for
Mr.S.Rajasekar for R5

ORDER

The writ petition has been filed seeking for a Mandamus, directing the respondents 1 to 4, to take appropriate action against the 5th respondent and prevent un authorized construction in Survey No.190/3A6, Palavoor Village Part-II, in New Ward No.1 at Chidambarapuram. Tirunelveli District.

2.The Sub Inspector of Police, Palavoor Police Station, Tirunelveli District had now submitted a report stating that the 5th respondent had constructed a building and the planning permission has been accorded to him on 22.12.2017.



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3.However, the learned counsel for the petitioner would submit that no such planning permission has been given.

4.This Court is inclined to direct the 3rd respondent/the Block Development Officer, Village Panchayat, to look into the complaint made by the petitioner and the 5th respondent shall also produce appropriate planning permission, if any, granted to him and it will be open to the 3rd respondent to proceed any further, in accordance with law.

5.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

13.12.2022

Index : Yes / No
Speaking Order/Non Speaking Order
sbm



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K.KUMARESH BABU, J.

sbn

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