

26.06.2023
Item No.6
gd/ssd

WPA(P)/276/2023
SURAJIT JANA AND ORS.
VS
THE TAMLUK MUNICIPALITY AND ORS.

Mr. Supriya Chattopadhyay,
Mr. Samaresh Chandra Dhara,
Mr. Sandip Kr. Maiti,
Mr. Sabyasachi Hazra
..for the Petitioners.

Mr. Gopal Chandra Das
..for the Respondent Nos.8 to 10.

Md. Sabir Ahmed,
Md. Abdur Rakib,
Mr. Biswajit Sarkar
..for the Respondent No.12.

1. This petitioners' grievance is that the 12th respondent is putting up unauthorized construction in the property in question.

2. Based on a complaint the respondent Municipality has initiated the proceedings against the 12th respondent and an order has also been passed by the Chairman of the Tamluk Municipality on 12.05.2023.

3. It is the submission of the learned advocate appearing for the Municipality that till date the private respondent has not produced the copy of the sanctioned plan.

4. The learned advocate appearing for the 12th respondent submitted that his client appeared before

the Chairman of the Tamluk Municipality and the plan and other details have been submitted.

5. However, there is nothing on record to show that the same has been acknowledged by the Municipality.

6. In any event, since the Municipality has already initiated action, we direct the Chairman of the Tamluk Municipality to conduct the enquiry and conclude the proceedings by passing a speaking order and take action in accordance with law.

7. This direction be complied with within a period of three weeks from the date of receipt of the server copy of this order after notice to all concerned.

8. With the above observations, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)