



WEB COPY



W.P. No. 867 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM

THE HON'BLE MR.JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.P. No. 867 of 2020

G. Magendran

..Petitioner

Vs.

1. The District Collector,
Vellore, Vellore District.
2. The Assistant Director of Rural
Development (Panchayat),
Sathuvacherri, Vellore District.
3. The Assistant Director of Panchayat,
Thirupathur (Division),
Vellore District.
4. The Block Development Officer,
Jolarpettai, Vellore District.
5. Mr.P. Sangeeth Kumar ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying
for issue of a Writ of Mandamus directing the 2nd and 4th respondents to



W.P. No. 867 of 2020

consider the representation of the petitioner dated 10.01.2019 and pass orders on the same in regard to unauthorised constrution constructed by the 5h respondent in Survey No. 293/13 D1A1 to the extent of 5 ½ cents, Pachal Village, Thirupathur Taluk, Vellore District.

For Petitioner :: Mr.K. Arumugam

For Respondents :: Mr.A.Selvendran,
Special Govt. Pleader
for R1 to R4
Mr.K. Rajendra Prasad
for R5
O R D E R

(Made by *S. Vaidyanathan,J.*)

The petitioner has come forward with the present writ petition for issue of a Writ of Mandamus directing the 2nd and 4th respondents to consider the representation of the petitioner dated 10.01.2019 and pass orders on the same in regard to unauthorised constrution constructed by the 5h respondent in Survey No. 293/13 D1A1 to the extent of 5 ½ cents, Pachal Village, Thirupathur Taluk, Vellore District.

2. We do not want to go into the various factual issues in this writ petition. We make it very clear that the representation of the petitioner dated 10.10.2019 shall be considered by the authority concerned and a decision



W.P. No. 867 of 2020

shall be taken after affording an opportunity of hearing to the petitioner and the 5th respondent within a period of four months from the date of receipt of a copy of this order. If the building is constructed without any plan, the same will have to be demolished. In case, approved plan is available, then the building will have to be constructed in accordance with the plan. It is also made clear that seeking regularisation of the building without prior approved plan is not permissible.

S. VAIDYANATHAN,J.

AND

K. RAJASEKAR,J.

nv

3. The writ petition is disposed of with the above observations.

No costs.

(S.V.N.J.) (K.R.S.J.)

nv

13.12.2023

To

1. The District Collector,
Vellore, Vellore District.
2. The Assistant Director of Rural

3\4



WEB COPY



W.P. No. 867 of 2020

Development (Panchayat),
Sathuvacherri, Vellore District.

W.P. NO.867 of 2020

3. The Assistant Director of Panchayat,
Thirupathur (Division),
Vellore District.
4. The Block Development Officer,
Jolarpettai, Vellore District.