



W.P.No.16151 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.06.2023

Coram:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE P.DHANABAL

Writ Petition No.16151 of 2023
and
W.M.P.No.15542 of 2023
--

Jayalakshmi

Vs.

.. Petitioner

1. The District Collector,
Collectorate,
Nagapattinam,
Nagapattinam District.
2. The Executive Officer,
Velankanni Town Panchayat,
Velankanni, Kilvelur Taluk,
Nagapattinam District.
3. The Director of Town and Country,
Planning Officer,
DTCP Office,
Nagapattinam.
4. The Tahsildar,
Taluk Office,
Kilvelur, Nagapattinam.
5. The Chair Person,
Velankanni Town Panchayat,
Velankanni,
Nagapattinam District.

Page No.1/6



W.P.No.16151 of 2023

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6. The Vice Chair Person,
Velankanni Town Panchayat,
Velankanni,
Kilvelur Taluk, Nagapattinam District.

7. Mahalingam

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the second respondent to take legal action against the unauthorised construction put up by the seventh respondent in the property comprised in 0.21 cents and one cent including R.C.C. building therein, situated in Old S.No.77/4, New S.No.77/5 and 74A/5, No.92, Velankanni Village, Kilvelur Taluk, Thiruthuraipoondi S.R.O., Nagapattinam District.

For petitioner : No appearance

For respondents: Mr.E.Vijay Anand, Addl.G.P. for RR-1 to 6

Not ready in notice regarding R-7

ORDER

(The Order of the Court was made by D.Krishnakumar, J)

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the second respondent to take legal action against the unauthorised construction put up by the seventh respondent in the property comprised in 0.21 cents and one cent including R.C.C. building therein, situated in Old S.No.77/4, New S.No.77/5

Page No.2/6



W.P.No.16151 of 2023

and 74A/5, No.92, Velankanni Village, Kilvelur Taluk, Thiruthuraipoondi S.R.O.,
Nagapattinam District.

2. According to the petitioner, the seventh respondent has constructed the building unauthorisedly in the property in question, and therefore, the petitioner has come forward with this Writ Petition for the relief stated supra.

3. Learned Additional Government Pleader appearing for respondents 1 to 6, while conceding and not disputing the factum of the seventh respondent having unauthorisedly constructed the building in the property in question, submitted based on the written instructions that by following necessary procedures in accordance with law, necessary action will be taken for removal of the said unauthorised construction.

4. In view of what is stated above, based on the written instructions furnished to the learned Additional Government Pleader by the second respondent/Executive Officer, by issuing necessary notice to the seventh respondent, action shall be taken for removal of the unauthorised construction. Recording the said submission of the learned Additional Government Pleader, we direct the second respondent to take necessary action by issuing notice and take



W.P.No.16151 of 2023

necessary action for removal of the unauthorised construction by following the procedures as contemplated under the Tamil Nadu Town and Country Planning Act or any other law / Rules in force, after providing an opportunity of hearing to the petitioner and the seventh respondent and necessary parties and pass appropriate orders within a period of 12 weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above observations/directions.

There shall be no order as to costs. Consequently, W.M.P. is closed.

(D.K.K., J) (P.D.B., J)
19.06.2023

Index: Yes/no
Speaking Order: Yes/no
Neutral Citation: Yes/no
CS

To

1. The District Collector,
Collectorate, Nagapattinam,
Nagapattinam District.
2. The Executive Officer,
Velankanni Town Panchayat,
Velankanni, Kilvelur Taluk,

Page No.4/6



W.P.No.16151 of 2023

Nagapattinam District.

3. The Director of Town and Country,
Planning Officer,
DTCP Office,
Nagapattinam.
4. The Tahsildar,
Taluk Office,
Kilvelur, Nagapattinam.
5. The Chair Person,
Velankanni Town Panchayat,
Velankanni,
Nagapattinam District.
6. The Vice Chair Person,
Velankanni Town Panchayat,
Velankanni,
Kilvelur Taluk, Nagapattinam District.



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W.P.No.16151 of 2023

D.KRISHNAKUMAR, J

and

P.DHANABAL, J

CS

W.P.No.16151 of 2023

19.06.2023

Page No.6/6