



WEB COPY



W.P.No.20030 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.20030 of 2023

Kondamuri Kusuma Nagendra Prasad

.. Petitioner

Vs

1.The Director,
Yanam Planning Authority,
Yanam-533 464.

2.State House Officer,
Yanam Police Station,
Yanam-533 464.

3.The Commissioner,
Yanam Municipality,
Yanam.

4.Vegesna Bhaskara Raju

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to take coercive action against the fourth respondent, to remove the illegal commercial complex in T.S.No.D/1/12/6b in Franceithippa located on NH-216 and to prohibit any commercial activity in the property.



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For the Petitioner : Mr.Sunny Sheen
for Mrs.V.Srimathi

For the Respondents : Mr.V.Vasanthakumar
Addl. Government Pleader
(P)
for respondents 1 to 3

: R4 – No Appearance

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.Sunny Sheen for Mrs.V.Srimathi, learned counsel for the petitioner and Mr.V.Vasanthakumar, learned Additional Government Pleader (Puducherry) for respondents 1 to 3.

2. The office endorsement shows that the fourth respondent is served. However, none appears for the fourth respondent.

3. Learned counsel for respondents 1 to 3, on instructions, submits that the fourth respondent has not obtained any construction permission and further submits that action in accordance with law would be undertaken.



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4. Respondents 1 to 3 are not required to wait for the orders of the court. The third respondent is a statutory planning authority. If it finds that there is an illegal construction, it has to proceed further and take action as provided under the statute.

5. In case the construction of the fourth respondent is unauthorised or no further steps are undertaken by the fourth respondent with regard to regularisation or otherwise, the third respondent shall take steps immediately.

The writ petition is disposed of accordingly. There will be no order as to costs. Consequently, W.M.P.No.19382 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

04.09.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



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To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

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