



WEB COPY

W.P.(MD)No.4618 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

W.P.(MD)No.4618 of 2023

S.Subramanian

... Petitioner

-VS-

1.The District Collector,
Office of the District Collector,
Madurai District.

2.The Block Development Officer,
Block Development Office,
Vadipatti Union,
Vadipatti Taluk,
Madurai District.

3.The President,
Office of the President,
Mullipallam Village,
Vadipatti Taluk,
Madurai District.

4.K.Sagunthala

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take proper legal action against the unauthorized constitution of the house put up by the fourth respondent at Mullipallam Village of Madurai District, by



considering the petitioner's representation, dated 15.11.2022, within a time frame.

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For Petitioner	: Mr.S.Atham Ali
For R1	: Mr.P.T.Thiraviyam Government Advocate
For R2 and R3	: Mr.V.Nirmal Kumar Government Advocate

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

With the consent of parties, the writ petition itself is taken up for final disposal.

2. Mr.S.Subramanian, S/o Late Subbiah has filed this writ petition for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take proper legal action against the unauthorized constitution of the house put up by the fourth respondent at Mullipallam Village, Madurai District, by considering his representation, dated 15.11.2022, within a time frame.



3. Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the first respondent and Mr.V.Nirmal Kumar, learned Government Advocate takes notice for the respondents 2 and 3.

4. Learned counsel for the petitioner submits that adjacent to the petitioner's land, the 4th respondent has purchased the land and without getting proper plan approval from the 3rd respondent, she is putting up unauthorised construction. Despite the representation dated 15.11.2022 made by the petitioner in this regard to take action against the 4th respondent, till date, no action is taken by the official respondents. Hence, this writ petition.

5. Learned Government Advocate appearing for the respondents 2 and 3 submitted that the respondents 2 and 3 will consider and dispose of the representation of the petitioner dated 15.11.2022 and if there is any unauthorised construction by the 4th respondent, appropriate action will be taken within a time frame.

6. Recording the aforesaid submission, without expressing any opinion on the prayer sought for by the petitioner, we direct the respondents 2 and 3 to consider the representation of the



petitioner dated 15.11.2022 on merits and in accordance with law.

If there is any unauthorised construction by the 4th respondent as claimed by the petitioner, then the respondents 2 and 3 shall take appropriate action, after affording sufficient opportunity to all the parties concerned. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

[T.R., A.C.J.] [D.K.K., J.]
03.03.2023

NCC : Yes / No
Index : Yes / No
Internet: Yes / No
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To

- 1.The District Collector,
Office of the District Collector,
Madurai District.
- 2.The Block Development Officer,
Block Development Office,
Vadipatti Union,
Vadipatti Taluk,
Madurai District.



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3. The President,
Office of the President,
Mullipallam Village,
Vadipatti Taluk,
Madurai District.

W.P.(MD)No.4618 of 2021





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W.P.(MD)No.4618 of 2023:

T.RAJA, A.C.J.
and
D.KRISHNAKUMAR, J.

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ORDER MADE IN
W.P.(MD)No.4618 of 2023
DATED : 03.03.2023