



W.P.(MD)No.4653 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.4653 of 2023

and

W.M.P.(MD)No.4338 of 2023

M.Devasagayam

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Block Development Officer,
Union Office, Sathankulam,
Thoothukudi.

3.The Panchayat President,
Pothakalam Villai Panchayat,
Pothakalam Villai, Sathankulam Taluk,
Thoothukudi District.

4.K.Silluvai Durai

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to take necessary action on



W.P.(MD)No.4653 of 2023

the representation dated 23.08.2022 with regard to without setback on the petitioner's property made by the 4th respondent in Door No.11/135, South Street, Kollunthattu, Sasthavi Nallur Village, Sathankulam Taluk, Thoothukudi District.

For Petitioner : Mr.A.Ajith Geethan

For R1 to R3 : Mr.S.Shanmugavel,
Additional Government Pleader

For R4 : Mr.J.David Ganesan

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The relief sought for in the present Writ Petition is to direct the respondents 2 and 3 to take necessary action on the representation of the petitioner dated 23.08.2022 with regard to the violation committed by the 4th respondent with reference to the building plan approval granted by the Panchayat President.

2.The learned Additional Government Pleader appearing for the respondents 1 to 3 has made a submission that the 4th respondent obtained building plan permission from the Panchayat President, Sasthavi Nallur Panchayat Union. However, the learned counsel appearing for the petitioner raised an objection by stating that the 4th respondent has committed floor violations and setback violations.



W.P.(MD)No.4653 of 2023

WEB COPY

3. In view of the said submission, the respondents 1 and 2 are directed to verify the correctness of the building plan approval granted by the Panchayat President, Sasthavi Nallur Panchayat Union, Sathankulam Taluk, Thoothukudi District with reference to the applicable rules and if any violations are identified, then suitable actions are to be initiated against the 4th respondent in the manner known to law and by affording opportunity to the parties concerned.

4. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (V.L.N., J.)
29.11.2023

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

Yuva



W.P.(MD)No.4653 of 2023

S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

Yuva

To

- 1.The District Collector,
Thoothukudi District.
- 2.The Block Development Officer,
Union Office, Sathankulam,
Thoothukudi.
- 3.The Panchayat President,
Pothakalam Villai Panchayat,
Pothakalam Villai, Sathankulam Taluk,
Thoothukudi District.

W.P.(MD)No.4653 of 2023

29.11.2023