



W.P(MD)No.9790 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9790 of 2023

V.Selvaraj

... Petitioner

Vs

1.The State represented by
The Director,
O/o. Commissioner of Town Panchayat,
7 & 8th Floor, Urban Administrative Building,
75, Santhome High Road,
R.A.Puram,
Chennai – 28.

2.The District Collector,
Office of the District Collector,
Ramanathapuram District.

3.The Assistant Director,
O/o.Assistant Director of Town Panchayat,
Sivagangai District.

4.The Executive Officer,
O/o.Executive Officer,
Sayalkudi Town Panchayat,
Ramanathapuram District.

5.Sekar

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take necessary action against the fifth respondent for his illegal activities and consequently direct the first respondent to provide compensation for a sum of Rs.10,00,000/- to the petitioner and recover the same from the fifth respondent by considering the petitioner's representation dated 14.04.2023 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.G.Suriyananth
Additional Government Pleader
for R.1 to R.3

Mr.A.Sivanupandian
Government Advocate for R.4

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

2. The petitioner's case is that his shop was demolished without notice and in an illegal manner. The right of the petitioner to claim compensation is left open and he is given liberty to proceed against the authorities in independent proceedings. In this case, the primary relief is for taking departmental action against the fifth respondent. In such matters the writ Court



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will not be justified in issuing positive direction for taking disciplinary action.

Now that the concerned authorities are cognizant of the petitioner's complaint, it is for them to take a call in the matter. Leaving the matter entirely to the discretion of the concerned authority, this writ petition is disposed of. There shall be no order as to costs.

25.04.2023

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

To

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O/o. Commissioner of Town Panchayat,
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G.R.SWAMINATHAN, J.

MGA

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