



W.P.(MD).No.13819 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.13819 of 2019

E.James

.. Petitioner

Vs.

- 1.The District Collector,
Office of the District Collectorate,
Tuticorin – 628 101.
- 2.The Assistant Director of Town Panchayat,
Tuticorin District,
Tuticorin.
- 3.The Executive Officer,
Sathankulam Selection Grade Town Panchayat,
Sathankulam,
Tuticorin – 628 704.
- 4.S.Balasubramanian

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 to take action on the representation of the petitioner dated 29.01.2019 and take appropriate action forthwith for demolishing the illegal and unauthorised



W.P.(MD).No.13819 of 2019

constructions of latrine and bathroom, which have been put in violation of the applicable legal provisions by the respondent No.4 in Survey No.629 and 629/1A3A which is on the western side to the house of the petitioner at Chokkalingapuram, Sathankulam Village, Sathankulam Taluk, Tuticorin District.

For Petitioner : Mr.K.P.Narayanakumar
For Respondents : Mr.S.Kameswaran
Government Advocate for R-1 to R-3
Mr.G.Thalaimutharasu for R-4

ORDER

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

The learned Government Advocate appearing for the respondents 1 to 3, on instructions, made a submission that plan approval has been obtained for the building. However, the fourth respondent has put up bathroom and toilet unauthorizedly. The unauthorised construction of bathroom and toilet caused nuisance to the neighbours and thus, the present Writ Petition is filed.



W.P.(MD).No.13819 of 2019

2. Therefore, the respondents 1 to 3 are directed to ensure that the unauthorized construction of bathroom and toilet by the fourth respondent is removed. The fourth respondent is at liberty to remove the same within a period of ten (10) days from today, failing which, the respondents 1 to 3 are directed to remove the unauthorized constructions and recover the cost from the fourth respondent within a period of two (2) weeks thereafter.

3. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

(S.M.S.,J.) (V.L.N.,J.)
06.12.2023

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



W.P.(MD).No.13819 of 2019

To

1. The District Collector,
Office of the District Collectorate,
Tuticorin – 628 101.
2. The Assistant Director of Town Panchayat,
Tuticorin District,
Tuticorin.
3. The Executive Officer,
Sathankulam Selection Grade Town Panchayat,
Sathankulam,
Tuticorin – 628 704.



WEB COPY



W.P.(MD).No.13819 of 2019

S.M.SUBRAMANIAM,J.
and
V.LAKSHMINARAYANAN,J.

Lm

W.P.(MD).No.13819 of 2019

06.12.2023