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W.P.(MD) No.14828 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD) No.14828 of 2022

A.Mohana Backia Rani

... Petitioner

-vs-

1.The District Collector
Kanyakumari District
Nagercoil

2.The Block Development Officer
Rajakkamangalam Union
Rajakkamangalam
Kanyakumari District

3.The President
Melasankarankuzhi Panchayat Office
Agasteeswaram Taluk
Kanyakumari District

4.Radhakrishnan

... Respondents



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W.P.(MD) No.14828 of 2022

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents 1 to 3 to take action against the fourth respondent and consequently remove the extra construction constructed by the fourth respondent and consider the representation of the petitioner dated 10.05.2022.

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.S.Kameswaran
Government Advocate for R1 & R2
Mr.J.Ashok for R3

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The relief sought for in this writ petition is to direct the respondents 1 to 3 to take action against the fourth respondent and consequently to remove the extra construction put up by the fourth respondent, based on the petitioner's representation dated 10.05.2022.

2. Learned counsel for the petitioner made a submission that the fourth respondent has made some unauthorized construction and seeking to remove the same, the petitioner has given a representation to the official



W.P.(MD) No.14828 of 2022

WEB COPY

respondents and since the same has not been considered, the petitioner is constrained to move the present writ petition.

3. Learned Government Advocate appearing for the respondents 1 & 2, relying on the letter dated 16.11.2023 received by him from the President, Melasankarankuzhi First Grade Panchayat, contended that the fourth respondent is in occupation of the house allotted by the Government eighteen years back at free of costs and he only maintains the said house and he has not put up any additional unauthorized construction.

4. In view of the above submission, we are not inclined to entertain this writ petition. Accordingly, the writ petition is dismissed. No costs.

[S.M.S., J.]

[V.L.N., J.]

24.11.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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W.P.(MD) No.14828 of 2022

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To:

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Kanyakumari District,
Nagercoil.

- 2.The Block Development Officer,
Rajakkamangalam Union,
Rajakkamangalam,
Kanyakumari District.



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W.P.(MD) No.14828 of 2022

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