



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2023

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CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P(MD)No.17362 of 2023
and
W.M.P(MD)No.14554 of 2023**

S.Avudam Ali

... Petitioner

vs.

1. The Commissioner,
Kalakkad Municipality,
Tirunelveli.

2. Rajan Durai

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent to take action against the illegal construction of building in old S.No. 257/3, New S.No.923/2, Seevalaperi Village, Kalakad, by the 2nd respondent and remove the same by considering the representation of the petitioner dated 12.04.2023 within the time fixed by this Court.

For Petitioner : Mr.H.Arumugam
For R1 : Mr.J.Parekhkumar, Standing Counsel
For R2 : Mr.S.Micheal Heldon Kumar

ORDER

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

We have heard Mr.H.Arumugam, learned counsel
appearing for the petitioner, Mr.J.Parekhkumar, learned Standing



Counsel appearing for the 1st respondent and Mr.S.Micheal Heldon Kumar, learned counsel appearing for the 2nd respondent.

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2. The petitioner alleges unauthorised construction on the part of the 2nd respondent.

3. The learned Standing Counsel appearing for the 1st respondent, on instructions, submits that earlier Kalakkadu Municipality was a Town Panchayat. In 2019, approval for the building plan was granted to the 2nd respondent.

4. In view of the statement made by the learned Standing Counsel for the 1st respondent, the Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

[S.V.G., C.J.]

[C.K., J.]

30.08.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

The Commissioner,
Kalakkad Municipality,
Tirunelveli.



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THE HONOURABLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

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