



W.P.(MD) No.7880 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2023

CORAM:

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.(MD) No.7880 of 2018

M.Rajaram

... Petitioner

-VS-

1.The Commissioner
Madurai Municipal Corporation
Arignar Anna Maligai
Tallakulam, Madurai.

2.The Executive Engineer,
Town Planning Section,
Madurai Municipal Corporation
Arignar Anna Maligai
Tallakulam
Madurai 2

3.Muthammal @ Alagammal

... Respondents



W.P.(MD) No.7880 of 2018

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the 1st and 2nd respondents to demolish the unauthorised construction constructed by the 3rd respondent on northern side of the petitioner's residential house in R.S.No.118/13, D.No.25, Ward No.27 Sambakulam 4th street, Moondrumavadi, K.Pudur, Madurai 7 pursuant to the order passed by the 1st respondent in his proceedings in Ma2a1/07699/2017 dated 04.10.2017.

For Petitioner : Mr.S.Mohammed Kadhar

For Respondents : Mr.S.Vinayak for R1 and R2

No appearance for R3

ORDER

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

We have heard Mr.S.Mohammed Kadhar, learned counsel for the petitioner and Mr.S.Vinayak, learned counsel for the respondents 1 and 2.

2. The grievance of the petitioner is that the respondent No.3 has constructed unauthorized construction.



W.P.(MD) No.7880 of 2018

WEB COPY

3. According to the learned counsel for the Corporation, the respondent No.3 has taken permission for ground floor, but had not taken permission for the first floor. She has filed an application for regularisation. The learned counsel for the respondent Corporation submitted that the same is not yet decided.

4. It is high time for the Corporation to decide such application. In case, an application is filed by the respondent for regularisation and the same is pending with the respondent No.1, the respondent No.1 shall decide the said application on its own merits within four months from today. Depending upon the decision taken in the application filed by the respondent No.3 for regularisation, the parties may take further steps.

5. The writ petition stands disposed of. However, there is no order as to costs.

[S.V.G., CJ.]

[C.K., J.]

29.08.2023

NCC : Yes / No
Index : Yes / No
RR



W.P.(MD) No.7880 of 2018

WEB COPY

To

- 1.The Commissioner
Madurai Municipal Corporation
Arignar Anna Maligai
Tallakulam, Madurai.

- 2.The Executive Engineer,
Town Planning Section,
Madurai Municipal Corporation
Arignar Anna Maligai
Tallakulam
Madurai 2



WEB COPY



W.P.(MD) No.7880 of 2018

THE HON'BLE THE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

RR

W.P.(MD)No.7880 of 2018

29.08.2023