



W.P.(MD)No.20165 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.20165 of 2014

and

M.P.(MD).No.1 of 2014

M.Veeramaruthupandi

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.M.Kumar

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to demolish the unauthorized, unapproved and illegal construction made by 2nd respondent in Ward No.92, P.M. Thevar Nagar, Jeevanagar II nd Street, Jaihindpuram, Madurai.

For Petitioner

:Mr.A.Srinivasan

For Respondents

:Mr.R.Murali

Standing Counsel for R1

:Mr.S.Manohar for R2



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ORDER

This writ petition has been filed seeking for Mandamus to direct the 1st respondent to demolish the unauthorized, unapproved and illegal construction made by the 2nd respondent in Ward No.92 P.M Thevar Nagar, Jeevanagar IIInd Street, Jaihindpuram, Madurai.

2. It has been brought to the notice of this Court by the learned counsel for the 1st respondent that by proceedings dated 16.10.2014, the action has been initiated against the 2nd respondent.

3. The learned counsel appearing for the 2nd respondent would submit that pursuant to the notice, 1st respondent had issued proceedings dated 12.01.2015 in k.G.ngh.3/7189/14, wherein, it has levied penal charges against the petitioner, which is payable till the planning permission is accorded or the construction is removed in consonance with the planning permission. Since the writ petition is pending, no further proceedings have been taken out.



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4. In view of the same, the 1st respondent is directed to proceed further, pursuant to the notice dated 16.10.2014. The 2nd respondent is also at liberty to approach the 1st respondent to take out necessary application to regularize the construction, if permitted within the rules and regulations governing.

5. With the above observations, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is also closed.

25.01.2023

Index : Yes / No
Speaking Order/Non Speaking Order
sbm

To

The Commissioner,
Madurai Corporation,
Madurai.



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K.KUMARESH BABU, J.

sbn

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