



W.P(MD)No.10639 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10639 of 2015

V.Umamaheshwaran

... Petitioner

Vs

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Commissioner,
Thanjavur City Corporation,
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to remove unauthorized Godown situated at Door No.37, Kurinji Nagar , Baloba Nandhavanam, North Gate Post, Thanjavur considering the petitioner's representation dated 24.6.2015.

For Petitioner : Mr.Karthick Subramanian

For Respondent : Mrs.K.Christy Theboral
Additional Government Pleader for R.1



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Mr.S.Pakalavan for R.2

ORDER

Heard the learned counsel on either side.

2. The stand of the petitioner is that the petition mentioned premises is being unauthorizedly used as godown. According to the petitioner, the land owner Thiru.Arumugam had right to put up only a residential construction. However, the premises is being illegally used as godown. In this regard, the petitioner had already lodged complaint before the local body. The local body had also informed the petitioner that action is being taken under provisions of the Tamil Nadu District Municipalities Act, 1920. Some of the communications issued by the local body have been enclosed in the typed set of papers. The grievance of the petitioner is the second respondent is not taking the matter to its logical conclusion.

3. The second respondent is directed to take action on the petitioner's representation. Notice will be issued to Thiru.Arumugam. Enquiry will be held. The petitioner also will be associated with the enquiry. If the land owner is putting the premises to unauthorized use, lodging of criminal complaint and



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levying of small fine is not sufficient. The unauthorized use must be stopped.

The enquiry shall be conducted with this object in view. Enquiry shall be concluded within a period of four months from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

4. This writ petition is disposed of with the aforesaid direction. There shall be no order as to costs.

06.07.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

The District Collector,
Thanjavur District,
Thanjavur.



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G.R.SWAMINATHAN, J.

MGA

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