



W.P(MD).No. 21436 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.21436 of 2014

Srinivasan

..... Petitioner

- Vs-

1. The Superintending Archaeologist,
Archaeological Survey of India,
Chennai Circle,
For St. George, Chennai.
2. The Senior Conservation Assistant,
Archaeological Survey of India,
Thanjavur Sub-Circle, Thanjavur.
3. The Commissioner,
Thanjavur Corporation,
Gandhiji Road, Thanjavur.
4. S.Radhakrishnan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, thereby directing the respondents 1 to 3 to demolish the unauthorized construction of the fourth respondent in T.S.No.9/1, 9/1B, 9/3 and 9/4 in Ward No.4, Block No.70 of Shivaji Nagar, Thanjavur at once.



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For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.P.Krishnasamy
For R1 and R2

: No appearance – For R3

ORDER

This Writ Petition has been filed seeking for a writ of Mandamus, to direct the respondents 1 to 3 to demolish the unauthorized construction of the fourth respondent in T.S.No.9/1, 9/1B, 9/3 and 9/4 in Ward No.4, Block No.70 of Shivaji Nagar, Thanjavur at once.

2. Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioner and Mr.P.Krishnasamy, learned counsel appearing for the respondents 1 and 2.

3. The learned counsel for the petitioner would submit that the fourth respondent herein has been putting up illegal construction without any prior planning permission and hence, he had made a representation to various authorities by his communication, dated 22.11.2014. Pursuant to the said communication, the first respondent herein had forwarded the complaint of



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the petitioner to the second respondent to take appropriate action. He would further submit that no action has been taken and hence, he has filed the present writ petition.

4. Considering the prayer sought for in the writ petition and that also communication issued by the first respondent, I direct the first respondent to proceed further pursuant to his communication dated 03.12.2014 in proceedings No. AVACT/2010/NOC/TNJ/2014-15/5856 and conclude the same after affording an opportunity to the petitioner as well as the fourth respondent within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above said direction, this Writ Petition is disposed of. There shall be no order as to costs.

02.02.2023

NCC: Yes / No
Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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