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W.P.(MD)NO.14655 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14655 of 2015 AND
M.P.(MD)Nos.1 & 2 of 2015

T.Mohan

... Petitioner

Vs.

1. The District Collector / Inspector of Panchayat,
Tirunelveli District,
Tirunelveli.
2. The Block Development Officer,
Village Panchayat,
Valliyoar,
Tirunelveli District.
3. The President,
Chidambarapuram-Jacopuram Panchayat,
Chidambarapuram, Radhapuram Taluk,
Tirunelveli District.
4. P.Suyambu,
The President,
Chidambarapuram-Jacopuram Panchayat,
Chidambarapuram,
Tirunelveli District.
5. The Sub Inspector of Police,
Palavoor police station,
Tirunelveli District.

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the impugned final show cause notice dated 01.08.2015 passed by the 3rd respondent namely the President Chidambarapuram - Jacorpuram Panchayat, Chidambarapuram, Tirunelveli District and quash the same as illegal and devoid of merits and consequently direct the respondents 1,2,3 and 4 to restore the water connection to the petitioner's house bearing Door No.2/261-A, South Street, Chidambarapuram Village, South Karungulam Via, Tirunelveli District forthwith.

For Petitioner : Mr.S.Palanivelayutham
For R-1 & R-2 : Mrs.K.Christy Theboral,
Additional Government Pleader.
For R-3 to R-5 : Mr.S.Vinayak

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner had put up ground floor after getting planning approval from the local body. It appears that subsequently he has put up first floor also. For the first floor, there was no approval. That is why, the third respondent had issued the impugned notice.



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3. I do not find any ground to interfere with the impugned notice. However, the present President of the local body has given written instruction that if the petitioner applies for regularising the construction, it would be considered. Since this subsequent development has taken place, the petitioner is permitted to apply to the third respondent for regularising the construction put up by him and the third respondent is directed to consider the same as per law.

4. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

21.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The District Collector / Inspector of Panchayat,
Tirunelveli District,
Tirunelveli.
2. The Block Development Officer,
Village Panchayat,
Valliyoar,
Tirunelveli District.



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G.R.SWAMINATHAN,J.

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