



W.P(MD)No.16343 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16343 of 2015

and

M.P(MD)No.1 of 2015

Irulandi

... Petitioner

Vs

- 1.The Director,
Panchayatraj and Rural Development
Department,
Panagal Building,
Chennai.
- 2.The Inspector General of Registration,
Santhom Church Opposite,
Chennai.
- 3.The District Collector,
Sivagangai District,
Sivagangai.
- 4.The District Registrar,
No.1-A, Thiruppathur Road,
Sivagangai District.
- 5.The Deputy Director,
Town and Country Planning Department,
430, Gandhi Veedhi,
Sivagangai District.



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6.M.Raja Mohamed

7.Srinivasan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1, 2 and 5 to initiate legal action to restore the lands lie in Survey Nos.69/1B2, 55/4 and 69/3, of Padamathur Village, Sivagangai Taluk, Sivagangai District into their originality as Nanja lands in accordance with law.

For Petitioner : No Appearance

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 to R.5

No Appearance for R.6 & R.7

ORDER

None appears for the writ petitioner. There is no appearance on the side of the private respondents even though they have been served.

2. The official respondents have filed counter affidavit and the learned Additional Government Pleader took me through its contents.

3. The allegation of the writ petitioner is that private respondents have authorisedly developed a layout. He wants action to be taken. The counter



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affidavit filed by the Deputy Director, Town and Country Planning Department, Sivagangai Region confirms the allegation made by the writ petitioner. It is not known if the writ petitioner is still alive or not. But that is beside the point. When the authorities are clear that there has been an unauthorised development, action ought to be taken. In the counter affidavit it is stated that show cause notice was already issued. But then nothing further appears to have taken place. The fifth respondent is directed to take action as per law against the respondents 6 and 7. It appears that the sixth respondent had regularised some of the developments subsequently. The fifth respondent may therefore leave out those lands that have been regularised; in respect of the lands that are yet to be regularised and which have been unauthorisedly developed, action shall be taken as per law.

4. This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.08.2023

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



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G.R.SWAMINATHAN, J.

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