



W.P.(MD)No.2775 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.2775 of 2015

and

M.P.(MD).No.1 of 2015

Lakshminarayanan Chettiar

... Petitioner

Vs.

1.The District Collector,
Thanjavur District.

2.The Block Development Officer,
Panchayat Union Office,
Orathanadu Taluk,
Thanjavur District.

3.The Village Panchayat President,
Moorthyambalpuram Village Panchayat,
Orathanadu Taluk, Thanjavur District.

4.Boopathy Ambalakarar

5.Vethanayagi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the third respondent to take appropriate action against the 4th and 5th respondents for their illegal



W.P.(MD)No.2775 of 2015

construction made in the petitioner's properties in Survey Nos.(1) 71A-3 to the extent of 0.07.5 ares (2) 71A/1B, and (3) 71A/5 at Moorthiambalpuram Village, Orathanadu Taluk, Orathanadu sub Registrar Office, Pattukottai Registration District, Thanjavur District as per Rula 34 of the Tamil Nadu Panchayats Buildings Rules 1997 and on the basis of the petitioner's representation dated 07.07.2014 and as per the reply made by the second and third respondents dated 12.12.2014, 26.12.2014 and 29.12.2014.

For Petitioner :Mr.R.Rajaraman

For Respondents :Mr.M.Prakash
Additional Government Pleader for R1 to R3

:Mr.S.Raja Prabu for R4 & R5

ORDER

This writ petition has been filed seeking for a mandamus to direct the third respondent to take appropriate action against the 4th and 5th respondents for putting up construction in violation of Tamil Nadu Panchayats Buildings Rules 1997, on the basis of the petitioner's representation dated 07.07.2014.

2. Considering the relief sought for by the petitioner in this writ petition and that the representation has been made as early as, in the year



W.P.(MD)No.2775 of 2015

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2014, this Court is inclined to dispose of this writ petition with a direction to the petitioner to make a fresh representation to the third respondent herein, within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the third respondent shall pass orders, after issuing notice to the petitioner as well as the fourth and fifth respondents herein within a period of twelve weeks thereafter, on merits and in accordance with law.

3. With the aforesaid directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

15.02.2023

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



W.P.(MD)No.2775 of 2015

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W.P.(MD)No.2775 of 2015

K.KUMARESH BABU, J.

sbn

W.P.(MD)No.2775 of 2015
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