



W.P(MD)No.20896 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

W.P(MD)No.20896 of 2023

N.Sabura

... Petitioner

Vs.

1.The Commissioner
Corporation of Tiruchirapalli,
Bharathidasan Road,
Trichy.

2.Assistant Commissioner
Ponmalai Zone,
Corporation of Tiruchirapalli,
Ulaganathapuram,
Ramakrishna Nagar,
Sangiliandapuram,
Trichy.



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3.The Director

Directorate of Country and Town Planning Act,
No.708, Anna Salai,
Chennai.

4.The Secretary

Local Planning Authority,
Kajamalai Colony,
Trichy.

5.Mohammed Abdullah

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to considering petitioner's representation dated 16.06.2023 and direct the first respondent to stop further construction and to demolish the illegal construction made by her elder brother, Mohammed Abdullah.

For Petitioner : Mr.K.N.Guru

For Respondents : Mr.R.Baskaran - for R1 & R2

for M/s.R.B.Law Associates

Mr.J.Ashok, - for R3 & R4

Additional Government Pleader



[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

2. The grievance of the petitioner is that the fifth respondent is unauthorisedly constructing on the writ subject land. The learned counsel for the petitioner submits that the petitioner has a share in the property. The fifth respondent is unauthorisedly constructing it, without permission.

3. It is for the Planning Authority to consider whether the construction is without permission or otherwise. If the rights of the petitioner are affected, the petitioner's remedy is before the Civil Court to seek appropriate relief.



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4. The petitioner has already approached respondents 1 and 2. The petitioner is at liberty to prosecute his application with respondents 1 and 2.

5. With these observation, the Writ Petition is disposed of.

No costs.

[S.V.G., C.J.]

[P.V.M., J.]

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Index : Yes / No

Neutral Citation : Yes / No

RM



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