



W.P.(MD)No.7394 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7394 of 2016

S.Paramaguru

... Petitioner

versus

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Commissioner,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.

3. Manimegalai

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent No.2 to remove the dangerous structures as per Tamil Nadu District Municipalities Act, by way of considering petitioner's representation dated 29.12.2015 within time stipulated by this Court.



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For Petitioner : Mr.R.Venkatesan

For R1 : Mr.G.Suriya Anandh
Additional Government Pleader

For R2 : Mr.N.Dilipkumar

ORDER

The petitioner claims that there is a common wall between his house and the 3rd respondent's house. The 3rd respondent has constructed a cement wall upon the common wall. Now, there is water leakage from that wall, due to which, the wall may collapse at any point of time. In this regard, the petitioner has made a representation dated 12.10.2015 to the 2nd respondent for taking necessary steps to clear the nuisance. Since there was no response, the petitioner has filed this writ petition.

2. Considering the limited relief sought for in the writ petition and also considering the fact that there is a provision available under Section 218 of the Tamil Nadu District Municipalities Act, 1920, for the respondent Municipality, this writ petition is disposed of with a



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direction to the 2nd respondent Municipality to conduct an inspection and take appropriate action under Section 218 of the Tamil Nadu District Municipalities, 1920, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

12.10.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Commissioner,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.



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B.PUGALENDHI, J.

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