



W.P.(MD)No.9016 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.9016 of 2016

M.Saravanakumar

... Petitioner

versus

1. The Commissioner,
Madurai Corporation,
Arignar Anna Nagar,
Madurai District – 625 002.

2. The City Welfare Officer,
Madurai Corporation,
Arignar Anna Nagar,
Madurai District – 625 002.

3. The Sub Inspector of Police,
Tallakulam Police Station,
Tallakulam,
Madurai.

4. Arjunan

5. Sevugaperumal

6. Vijaya

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the first and second respondents to take steps to prevent the 4th to 6th respondents from constructing a house structure at D.No.73, Muniyandi Kovil Street, Jawaharpuram, K.Pudur, Madurai, on the basis of the representation sent by the petitioner dated 28.03.2016.

For Petitioner : No appearance

For R1 : M/s.S.Devasena
Standing Counsel

For R2 and R3 : Mr.M.Sarangan
Additional Government Pleader

For R4 to R6 : No appearance

ORDER

The petitioner, with a grievance that the respondents 4 to 6 have constructed a house at D.No.73, Muniyandi Kovil Street, Jawaharpuram, K.Pudur, Madurai, without leaving any space to drain the rain water.

2. There was no representation for the petitioner on 13.02.2023 20.06.2023. Therefore, the matter was directed to be listed today under



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the caption “For Dismissal”. Even today, there is no representation for the petitioner. There is no representation for the respondents 4 to 6 also.

3. The learned Standing Counsel, by relying on the counter affidavit filed by the first respondent, submits that the place of construction of houses by the respondents 4 to 6 at Door No.73, Muniyandi Kovil Street, K.Pudur, Madurai, is originally a Kanmai Poramboke belongs to the Thuyanenthai Kanmoi and the said land has been assigned to the Slum Clearance Board about 40 years back and the beneficiaries were allotted with the lands by the Slum Clearance Board. Since the houses belong to the respondents 4 to 6 come under the category of Government poramboke, the first respondent has not given any building plan approval for construction of houses. As of now, the respondents 4 to 6 have not carried out any construction activities in the disputed place.



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4. Recording the submission made by the learned Standing

Counsel appearing for the first respondent, this writ petition is closed.

No costs.

22.06.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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