



W.P.(MD)No.24941 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.24941 of 2023

and

W.M.P.(MD)No.21132 of 2023

M.K.Senthil @ Senthilkumar

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The District Revenue Officer,
Dindigul.

3.The Tahsildar,
Kujiliamparai, Dindigul District.

4.The Executive Officer,
Palayam Town Panchayat,
Kujiliamparai, Dindigul District.

5.K.R.K.Kaliyappan

...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 remove the unauthorized construction made by the 5th respondent in Natham S.No.428 A/10A Palayam,



W.P.(MD)No.24941 of 2023

Kujiliamparai Taluk, Dindigul District by considering the petitioner's representation dated 08.09.2023 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Natarajan
For R1 to R4 : Mr.S.Shanmugavel,
Additional Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The relief sought for in the present Writ Petition is to direct the respondents 1 to 4 to remove the unauthorized construction made by the 5th respondent in Natham S.No.428 A/10A Palayam, Kujiliamparai Taluk, Dindigul District by considering the petitioner's representation dated 08.09.2023.

2.The learned counsel appearing for the petitioner mainly contended that the 5th respondent had put up construction without obtaining plan approval from the competent authority. Therefore, the authorities are bound to initiate action. Since they failed to take action, the petitioner is constrained to move the present Writ Petition.



W.P.(MD)No.24941 of 2023

3.The learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, made a submission that building plan approval was granted only to the ground floor and the authority found that the 1st and 2nd floor are unauthorized constructions.

4.If so, the respondents 1 to 4 are directed to conduct an field inspection and verify as to whether it is unauthorized construction or not and thereafter, proceed to demolish the same by following the procedures as contemplated under the relevant statutes and rules in force. The said exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (V.L.N., J.)

16.10.2023

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

Yuva

3/4



WEB COPY



W.P.(MD)No.24941 of 2023

S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

Yuva

To

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The District Revenue Officer,
Dindigul.
- 3.The Tahsildar,
Kujiliamparai, Dindigul District.
- 4.The Executive Officer,
Palayam Town Panchayat,
Kujiliamparai, Dindigul District.

W.P.(MD)No.24941 of 2023

16.10.2023