



W.P.(MD)No.25845 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.25845 of 2023

R.Ramesh

... Petitioner

Vs.

1.The Executive Officer,
Thiruppuvanam Selection Grade Town Panchayat,
Thiruppuvanam,
Sivagangai District-630 611.

2.Kunjarathammal

3.Raji

4.R.Karthick

5.R.Vanangamudi

6.R.Sivamani

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to stall the unauthorised construction made by the respondents 2 to 6 in S.No.44/1, in Police Line Street, old Ward No.11, New Ward No.6, Thiruppuvanam, Thiruppuvanam Pudur

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Village, Sivagangai District and to remove the same in the manner known to law within the time to be stipulated by this Court on the basis of the petitioner's representation dated 14.09.2023.

For Petitioner : Mr.Baburajendran
For R1 : Mr.S.Shanmugavel
Additional Government Pleader
For R2 to R6 : Mr.M.Ganesasn

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 first respondent to remove the unauthorized construction made by the respondents 2 to 6 in Survey No.44/1, in Police Line Street old Ward No.11, New Ward No.6, Thiruppuvanam, Thiruppuvanam Pudur Village, Sivagangai District by considering the petitioner's representation dated 14.09.2023.

2.The learned counsel for the petitioner made a submission that the building constructed in S.No.44/1 in Police Line Street is an unauthorized building and no building plan approval has been obtained from the competent authority.



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3.The learned Additional Government Pleader appearing on behalf of the official respondents on instructions made a submission that building plan approval was granted only in respect of S.No.49/3 and there is no such planning permission in respect of S.No.44/1.

4.The learned counsel appearing for the respondents 2 to 6 raised an objection that building plan approval is available for the subject property.

5.In view of the disputed facts between the parties, the first respondent is directed to conduct enquiry, verify the documents to be produced by the parties, find out whether there is any building plan approval in respect of the subject property and take a decision. If any unauthorized construction is identified, the authorities shall initiate action by following the procedures. Such an exercise is directed to be completed within a period of 12 weeks from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition is disposed of. No costs.

(S.M.S., J.) & (V.L.N., J.)
01.12.2023

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

The Executive Officer,
Thiruppuvanam Selection Grade Town Panchayat,
Thiruppuvanam,
Sivagangai District-630 611.



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