



W.P.(MD)No.27158 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.27158 of 2023

and

W.M.P.(MD)No.23318 of 2023

A.Ramachandran @ Pookadai Chandran

... Petitioner

Vs.

1.The District Collector,
Dindigul.

2.The Block Development Officer,
Nilakottai Panchayat Union,
Dindigul.

3.The President,
Silukkuvarpatti Panchayat,
Dindigul.

4.Gnanam

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the illegal construction of the building used as Kalyana Mandapam (Marriage Hall)



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situated in S.No.130/20, Silukkuvarpatti Village, Nilakkottai Taluk, Dindigul District in the name of “D.S.Mahal” by the 4th respondent and remove the same based on the petitioner's representation dated 05.09.2023 within the time fixed by this Court.

For Petitioner	: Mr.M.Subbiah
For R1	: Mr.M.Lingadurai, Special Government Pleader
For R2 & R3	: Mr.C.Baskaran, Government Advocate
For R4	: Mr.N.Dilip Kumar

ORDER

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

With reference to the relief sought for in the present Writ Petition, the learned Special Government Pleader appearing for the 1st respondent has made a submission that the 4th respondent has obtained permission for construction of non-dwelling house. However, no permission was obtained to construct Kalyana Mandapam (Marriage Hall) in the subject property. Since the 4th respondent has not obtained any building plan permission for construction of Kalyana Mandapam, the authorities competent are bound to initiate action to remove the unauthorized construction.



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2.The learned counsel appearing for the 4th respondent has made a submission that permission was obtained for constructing Kalyana Mandapam in the subject property. If so, the 4th respondent is at liberty to submit the said document before the respondents 1 to 3 within a period of ten (10) days from today (29.11.2023). Thereafter, the respondents 1 to 3 are directed to verify the documents if any filed by the 4th respondent and proceed for removal of the unauthorized construction if any identified by following the procedures as contemplated under the Act. 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.

3.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.)
29.11.2023

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

Yuva

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AND

V.LAKSHMINARAYANAN, J.

Yuva

To

- 1.The District Collector,
Dindigul.
- 2.The Block Development Officer,
Nilakottai Panchayat Union,
Dindigul.
- 3.The President,
Silukkuvarpatti Panchayat,
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