



W.P.(MD)No.27133 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.27133 of 2023

and

W.M.P.(MD)No.23289 of 2023

Ravichandran

Vs.

... Petitioner

1.The Block Development Officer,
Devakottai Panchayat Union,
Devakottai, Sivagangai District.

2.The President,
Puliyal Panchayat,
Devakottai Taluk, Sivagangai District.

3.Selvam

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to initiate appropriate action against the 3rd respondent for putting up the construction in the petitioner's S.No.414/9, situated at Parithiyur Village, Thidakottai Post, Devakottai Taluk, Sivagangai District without getting any building plan approval.



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For Petitioner : Mr.J.Anandkumar
For R1 & R2 : Mr.D.Gandiraj,
Special Government Pleader
For R3 : No Appearance

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 and 2 to initiate appropriate action against the 3rd respondent for putting up the construction in the petitioner's S.No.414/9, situated at Parithiyur Village, Thidakottai Post, Devakottai Taluk, Sivagangai District without getting any building plan approval.

2.The learned counsel appearing for the petitioner mainly contended that the 3rd respondent has forcibly entered into the property belonging to the petitioner and put up unauthorized construction even without obtaining building plan approval. Since the construction is unauthorized, the petitioner has submitted a representation to remove the same. No action has been taken by the authority competent and therefore, the present Writ Petition has been instituted.



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3.This being the factum, the respondents 1 and 2 are directed to conduct field inspection of the subject property if necessary in the presence of the Tahsildar concerned and ascertain the unauthorized construction, if any and thereafter, remove the same by following the procedures as contemplated under the Act and by affording opportunity to the parties concerned. 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.

4.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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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

Yuva

To

- 1.The Block Development Officer,
Devakottai Panchayat Union,
Devakottai, Sivagangai District.
- 2.The President,
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