



W.P.(MD) No.28417 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.28417 of 2023

and

W.M.P.(MD) No.24461 of 2023

V.Raja

... Petitioner

-vs-

- 1.The Principal Secretary to Government
School Education Department
St.George Fort
Chennai
- 2.The Director
Directorate of Matriculation School
DPI Campus, Chennai-600 006
- 3.The Director
Town and Country Planning Office, DTCP
CMDA Office Complex
E & C Market Road
Koyambedu, Chennai-600 107
- 4.The District Collector
Collectorate
Trichy District



W.P.(MD) No.28417 of 2023

WEB C

5.The Deputy Director
Town and Country Planning Office
Kajamalai Main Road
Trichy

6.The Inspector of Matriculations
142, Madurai Road
Palakarai
Sangiliyandapuram
Trichy-620 008

7.The Correspondent
Raj Vidya Bhavan Matriculation School
North Sannathi Street
Thuraiyur, Tiruchirappalli District

8.The Commissioner
Thuraiyur Municipality
Trichy District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the fifth respondent to initiate appropriate action against the illegal development / construction made by the seventh respondent in Survey No.68/6A1 and 68/2, Thuraiyur Taluk, Tiruchirappalli District, in terms of Section 56 read with 85 of the Tamil Nadu Town and Country Planning Act, 1971 (T.N.Act 35 of 1972) and take enforcement action in furtherance of the enforcement notice in ROC.No.2900/2023 TR3, dated 10.06.2023, within the time stipulated by this Court and consequently direct the respondents to ensure the safety of the children studying in the seventh respondent School.



W.P.(MD) No.28417 of 2023

WEB COPY

For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R6

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.M.Mahaboob Athiff, learned counsel for the petitioner and Mr.P.Thilakkumar, learned Government Pleader for the respondents 1 to 6.

2. Learned counsel for the petitioner submits that the seventh respondent is running a school in an unauthorized building. The second and third floors of the school building are unauthorized. The construction is in progress. Thus, the safety of the students is endangered.

3. Learned Government Pleader appearing for the respondents 1 to 6, on instructions, submits that on 30.11.2023, the second and final notice has been issued to the seventh respondent to stop the construction and for removal of the unauthorized construction. If the notice is not complied with within the period stipulated, then the authorities will take further action in accordance with law.



W.P.(MD) No.28417 of 2023

WEB COPY

4. In view of the statement made by the learned Government Pleader, no further orders are necessary in this writ petition.

5. The writ petition, accordingly, stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.G., .C.J.]

[L.V.G., J.]

01.12.2023

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

krk

To:

1.The Principal Secretary to Government
School Education Department
St.George Fort
Chennai

2.The Director
Directorate of Matriculation School
DPI Campus, Chennai-600 006



W.P.(MD) No.28417 of 2023

WEB COPY

- 3.The Director
Town and Country Planning Office, DTCP
CMDA Office Complex
E & C Market Road
Koyambedu, Chennai-600 107
- 4.The District Collector
Collectorate
Trichy District
- 5.The Deputy Director
Town and Country Planning Office
Kajamalai Main Road
Trichy
- 6.The Inspector of Matriculations
142, Madurai Road
Palakarai
Sangiliyandapuram
Trichy-620 008



WEB COPY



W.P.(MD) No.28417 of 2023

THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

krk

W.P.(MD) No.28417 of 2023
and
W.M.P.(MD) No.24461 of 2023

01.12.2023