



W.P.No.8203 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8203 of 2018

S.Sridhar

Vs

.. Petitioner

1. The Chief Secretary to the Government,
Government of Puducherry, Goubert Avenue,
Puducherry-605 001.
2. The Member Secretary,
Town and Country Planning Department,
Government of Puducherry, Puducherry.
3. The Member Secretary,
Puducherry Planning Authority,
Jawahar Nagar, Boomanipet,
Puducherry.
4. The Commissioner,
Bahoor Commune Panchayat,
Government of Puducherry, Puducherry.
5. Mahatma Gandhi Medical College and Research Institute,
Rep. by its Chairman,
Pondy Cuddalore Main Road,
Pillaiyarkuppam, Puducherry-607 402.



W.P.No.8203 of 2018

6. University Grants Commission,
Rep. by its Chairman,
Bahadur Shah Zafar Marg,
New Delhi-110 002.
7. The Secretary, Medical Council Of India,
Pocket-14, Sector-8, Dwarka Phase-1,
New Delhi - 110077.
8. The Secretary, Dental Council of India,
Aiwan-E-Galib Marg, Kotla Road,
Temple Land, Opp.Mata Sundari College for Women,
New Delhi - 110002. .. Respondents

[R7 & R8 are suo motu impleaded
as per order dated 17.04.2018]

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to consider the petitioner's representation dated 11.12.2017 submitted to the respondents 1 and 2 to take necessary action against the unauthorised building constructed in pond and canal by the 5th respondent and to demolish the unauthorised building which was encroached by the 5th respondent and to restore the canal and pond.

For the Petitioner : No appearance

For the Respondents : Mr.S.Raveekumar
Government Pleader (Pondy)
for respondents 1 to 4



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W.P.No.8203 of 2018

- : Mr.V.Raghavachari,
Senior Counsel
for Ms.V.Srimathi
for 5th respondent
- : Mr.P.R.Gopinathan
for 6th respondent
- : Mr.Shubharanjani Ananth
for respondents 7 and 8

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

There is no representation on behalf of the petitioner. Heard Mr.S.Raveekumar, learned Government Pleader (Pondy) for respondents 1 to 4; Mr.V.Raghavachari, learned Senior Counsel for Ms.V.Srimathi, learned counsel for the fifth respondent; Mr.P.R.Gopinathan, learned counsel for the sixth respondent; and Ms.Shubharanjani Ananth, learned counsel for respondents 7 and 8.

2. An affidavit is filed by the third respondent stating that the irrigation canal has not been encroached and that there are canals



W.P.No.8203 of 2018

running within the campus of the Mahatma Gandhi Medical College and Research Institute, which are under the purview and administrative control of the local body. The Puducherry Planning Authority requested the Commissioner, Bahour Commune Panchayat, to examine the matter and to furnish opinion. The issue has been examined. It is submitted that seven out of twelve buildings have been granted building permits. For the remaining five buildings, the permits are not issued. The Puducherry Planning Authority has acted upon the representation of the petitioner. It is further stated in the affidavit that the Puducherry Planning Authority would take further action once a final decision is taken.

3. It would appear that consistently none appears for the petitioner. On 2.11.2023, none appeared for the petitioner. The matter was adjourned to 4.12.2023. On 5.12.2023, we adjourned the matter to 30.1.2024, because of communication problem. Today also none appears for the petitioner.

As none appears for the petitioner, the writ petition is



W.P.No.8203 of 2018

dismissed for non-prosecution. There shall be no order as to costs.

Consequently, W.M.P.No.10172 of 2018 is closed.

(S.V.G., C.J.)

(D.B.C., J.)

30.01.2024

Index : Yes/No

Neutral Citation : Yes/No

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W.P.No.8203 of 2018

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W.P.No.8203 of 2018

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