



WEB COPY



WP No.6703 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Shrinivasa Alaya Neernilai Meetpu Arakkattalai,
rep. By its founder K.Viajayamurugan : Petitioner

versus

1.The District Collector, Tiruvannamalai District

2.The Revenue Divisional Officer,
Tiruvannamalai 606 601

3.The Commissioner,
Municipal Office, Tiruvannamalai 606 601

4.S.S.Hospital,
No.19, Mathalangulam Street,
Mathalangulam, Tiruvannamalai : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to demolish the unlawful constructions, based on petitioner's representation dated 26.11.2018.

For Petitioner : Mr.C.Turibius Beski

For Respondents 1,2 : Mr.K.Karthik Jagannath, Gov. Advocate

For Respondent No.3 : Mr.B.Anand

No appearance for the fourth respondent

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ORDER

(Made by the Hon'ble Chief Justice)

It is the contention of the petitioner that the fourth respondent has constructed a hospital in violation of the permission given by the municipality. Hence, the petitioner has filed this writ petition seeking direction to the first respondent to demolish the unlawful construction made by the fourth respondent.

2. Learned counsel for the Tiruvannamalai Municipality submitted that the construction made by the hospital is not in consonance with the approved plan. The municipality has issued 30 days notice on 29.01.2024 under the Tamil Nadu Town and Country Planning Act, 1971 to the fourth respondent. The said notice was served on 01.02.2024. Learned counsel further submits that if the fourth respondent fails to make necessary changes in the building as per the sanctioned plan within the time period, the municipality would take appropriate action to lock and seal the building and take further proceedings in accordance with law.



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3. The statement of the Commissioner, Tiruvannamalai Municipality, is recorded and accepted.

4. In light of that, it would be for the municipality to take steps in accordance with law with regard to the unauthorised constructions made by the fourth respondent, expeditiously.

5. The writ petition stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

19.02.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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