



WEB COPY



W.P.No.11427 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 11427 of 2021

K.R.Saravanan

... Petitioner

Vs.

1.The Commissioner,
of Municipal Administration,
Chepauk, Chennai 5.

2.The Commissioner,
Virudhachalam Municipality,
Virudhachalam,
Cuddalore District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to restore the pathway leads to petitioner hotel and others shops situated near to the Virudhachalam bus stand pursuant to petitioner representation dated 20.1.2021.

For Petitioner : Mr.R.Rajesh

For Respondents : Dr.T.Seenivasan, for R1
Dr.S.Suriya
Additional Government Pleader for R2



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ORDER

This Writ Petition has been filed for a direction, directing the 2nd respondent to restore the pathway leads to petitioner's hotel and other shops situated near to the Virudhachalam bus stand.

2. The petitioner owned the property comprised in Survey No.133 /11B measuring 1980 sq.ft. situated at Virudhachalam, Cuddalore District. The petitioner is running a hotel and residency business in the said property in the name of Saravana Hotel and Residency, consisting 18 rooms and mini conference hall. While being so, the petitioner opened the pathway on the right side of the hotel and it is used by the general public. Now the 2nd respondent closed the said pathway therefore, the petitioner submitted representation to have access to his hotel.

3. On instructions, the learned counsel appearing for the 2nd respondent submitted that the petitioner had constructed illegally without any proper planning permission. That apart, the 2nd respondent had put up compound wall in and around the Bus Stand of Virudhachalam and the



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petitioner demolished the said compound wall and used the pathway to his hotel. It caused lot of disturbance and nuisance to the Buses while entering and exiting from the Bus Stand. Therefore, it has been now closed by the 2nd respondent.

4. In view of the same, the prayer sought for in this Writ Petition cannot be granted and the same is devoid of merits. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed. The 2nd respondent is at liberty to take appropriate action as against the petitioner, if he violated any planning permission while constructing his hotel.

21.10.2024

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Internet : Yes/No

Index : Yes/No

Speaking order:Yes/No

Neutral Citation:Yes/No



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G.K.ILANTHIRAIYAN, J.

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