



W.P.(MD) No.1101 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1101 of 2024
and W.M.P.(MD)Nos.1133 & 1136 of 2024

B.Kalyani

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Commissioner,
Madurai Corporation,
Madurai.

3.The City Town Planning Officer,
Madurai Corporation,
Madurai.

4.S.B.Rajkumar

... Respondents

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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to demolish and remove unauthorized construction of the 4th respondent which are in excess to the building plan approval in proceedings No.115/BL/2022/03211 in Plot No.21, KVR Gardens, Muthuthevar Colony, Kochadai Village, Madurai on the strength of the petitioner's representation' dated 28.08.2023 and 09.12.2024.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1
Mr.K.Manisekaran for R2 & R3

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to demolish and remove unauthorized construction made by the 4th respondent which are in excess to the building plan approval in proceedings No.115/BL/2022/03211 in Plot No.21, KVR Gardens,



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Muthuthevar Colony, Kochadai Village, Madurai on the strength of the petitioner's representations dated 28.08.2023 and 09.12.2024.

2. This Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, the fourth respondent, violating his building plan approval and approved layout, has made unauthorized construction in the property in question and in this regard, the petitioner has sent representations on 28.08.2023 and 09.12.2023 to the third respondent seeking to demolish the unauthorized construction made by the fourth respondent. Since no action was taken on the said representations, the petitioner has filed this Writ Petition.

4. Considering the limited scope of the prayer in the Writ Petition, without going into the merits of the case, we direct the respondents 2 and 3 to consider the representation of the petitioner 09.12.2023 and pass orders in accordance with law, after providing opportunity to the petitioner as well as to the fourth



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respondent, within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are also closed.

[D.K.K., J.] [R.V., J.]

22.01.2024

Neutral Citation: Yes / No
Index : Yes / No

vsm



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