



W.P.(MD) Nos.9356, 13516 & 16553 of 2013

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)Nos.9356, 13516 & 16553 of 2013
and M.P.(MD)Nos.1, 2, 1, 2, 3, 1 and 2 of 2013

A.Jaffar Sathik

... Petitioner in
W.P.(MD)No.9356/2013

M.Neelemega Kannan

... Petitioner in
W.P.(MD)No.13516/2013

A.Gunaseely

... Petitioner in
W.P.(MD)No.16553/2013

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Commissioner,
Kodaikanal Municipality,
Kodaikanal, Dindigul District.



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3.The Town Planning Officer,
Kodaikanal Municipality, Kodaikanal,
Dindigul District

4.The Thasildar,
Kodaikanal, Dindigul District.

5.The Member Secretary,
Dindigul Town and Country Planning Office,
Dindigul Local Planning Authority, Dindigul.

6.Rev. Ft. Paul Ignatius,
The Correspondent,
R.C.Town Higher Secondary School,
Kodaikanal, Dindigul District.

... Respondents 1 to 6
in W.P.(MD)Nos.9356, 13516
& 16553/2013

7.The Superintendent of Police,
Dindigul District, Dindigul.

8.The Inspector of Police,
Kodaikanal,
Dindigul District.

... Respondents 7 and 8
in W.P.(MD)No.16553/2013

PRAYER in W.P.(MD)Nos.9356 & 13516/2013: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to forbear the 6th respondent from effecting any unauthorized construction or digging of earth in the land in old Survey No. 391, Ward D, Block 17, Convent Road, Moonjikal, Kodaikanal district by implementing the



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order made by the 2nd respondent in his proceedings in Na.Ka.No.1440/2013/F1 dated 25/04/2013 and consequently direct the respondents 1 to 5 to restore the land in Old Survey No.391, Ward D, Block 17 Convent Road, Moonjikal Kodaikanal District to its original state.

PRAYER in W.P.(MD)No.16553/2013: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 and 5 to forbear the 6th respondent from effecting any unauthorized construction in the land in old Survey No. 391, Ward D, Block 17, Convent Road, Moonjikal, Kodaikanal classified as Poramboke in the light of the proceedings of the 2nd respondent in his proceedings in Na.Ka.No.1440/2013/F1 dated 25/04/2013 and consequently direct the respondents 1 to 5 to restore the land in Old Survey No.391, Ward D, Block 17 Convent Road, Moonjikal Kodaikanal District to its original state and consequently, direct the 7th and 8th respondents to provide protection to the petitioner.

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For Petitioner : Mr.Mohammed Rafi
for M/s.Ajmal Associates

For Respondents : Mr.N.Sathees Kumar,
Additional Govt. Pleader for R1, R4 & R5
Mr.T.S.Mohammed Mohaideen for R2 & R3



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Mr.S.Rajasekar for
M/s.Lajapathi Roy Associates for R6

W.P.(MD)No.13516/2013

For Petitioner : Mr.Mohammed Rafi
for M/s.Ajmal Associates

For Respondents : Mr.N.Sathees Kumar,
Additional Govt. Pleader for R1, R4 & R5

Mr.T.S.Mohammed Mohaideen for R2 & R3
Mr.S.Rajasekar for
M/s.Lajapathy Roy Associates for R6

W.P.(MD)No.16553/2013

For Petitioner : Mr.Mohammed Rafi
for M/s.Ajmal Associates

For Respondents : Mr.N.Sathees Kumar,
Additional Govt. Pleader for R1, R4 & R5

Mr.T.S.Mohammed Mohaideen for R2 & R3
Father Xavier Associates for R6
Mr.R.Meenakshi Sundaram for R7 & R8



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COMMON ORDER

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

These Writ Petitions have been filed seeking for issuance of a Writ of Mandamus directing the respondents 1 to 3 and 5 to forbear the 6th respondent from effecting any unauthorized construction in the land in old Survey No. 391, Ward D, Block 17, Convent Road, Moonjikal, Kodaikanal classified as Poramboke in the light of the proceedings of the 2nd respondent in his proceedings in Na.Ka.No.1440/2013/F1 dated 25/04/2013.

2. When the matter was taken up for hearing, the learned counsel appearing for the sixth respondent fairly submitted that the construction of the property in question has now been stopped and there is no further construction in the aforesaid property.

3. Recording the said submission, these Writ Petitions are closed. However, if the petitioner is still aggrieved, they can approach the second



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respondent for taking further action, if necessary. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] [M.S.K., J.]
08.01.2024

Neutral Citation: Yes / No
Index : Yes / No
vsm



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- 3.The Town Planning Officer,
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and
MUMMINENI SUDHEER KUMAR, J.

vsm

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