



W.P(MD)No.1167 of 2023

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.03.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR  
and  
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.1167 of 2023**

A.Senivasan

... Petitioner

VS.

1.The Commissioner,  
Madurai Corporation,  
Madurai.

2.The Member/Secretary,  
Madurai Local Planning Authority,  
Madurai.

3.The Assistant Commissioner,  
Zone – 3, Madurai Corporation,  
Madurai.

4.M.Parthasarathy

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to consider the representation of the petitioner dated 10.12.2022 on the basis of the third respondent's communication dated 01.12.2022 vide D1/003916/2022 in accordance with law within the time stipulated by this Court.

**1/5**



**W.P(MD)No.1167 of 2023**

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For Petitioner : Mr.Babu Rajendran  
For Respondent Nos.1 to 3 : Mr.K.K.Kannan  
For Respondent No.4 : Mr.S.Ramesh

**ORDER**

**(Order of the Court was made by D. KRISHNAKUMAR, J.)**

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, to direct the third respondent to consider the representation of the petitioner dated 10.12.2022 on the basis of the third respondent's communication dated 01.12.2022 vide D1/003916/2022 in accordance with law within the time stipulated by this Court.

2.According to the petitioner, the fourth respondent had constructed a building without valid approval and proper permission from the competent authority. Seeking to remove the said unauthorized construction, the petitioner sent a representation dated 10.12.2022 to the authorities concerned. Since no action has been taken by the authorities concerned, the petitioner has filed the present Writ Petition.



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3.The learned counsel appearing for the respondents 1 to 3 Corporation would submit that notice has been issued to the fourth respondent on 14.02.2024 for removal of the unauthorized construction and the authority concerned will remove the same in accordance with law within the time stipulated by this Court.

4.Considering the facts and circumstances of the case, the first respondent is directed to take necessary action for removal of the unauthorized construction made by the fourth respondent in the property in question, in accordance with law, after providing due opportunity to the parties concerned. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

**[D.K.K.,J.]      [R.V.,J.]**  
**06.03.2024**

NCC : Yes / No  
Index : Yes / No  
ps

**3/5**



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**D. KRISHNAKUMAR,J.**  
**and**  
**R.VIJAYAKUMAR,J.**

ps

**ORDER MADE IN**  
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**DATED : 06.03.2024**