



W.P(MD)No.2483 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM:

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

W.P(MD)No.2483 of 2021

Chellamuthu

... Petitioner

VS.

1.The District Collector,
Madurai District,
Madurai.

2.The Executive Officer,
Elumalai Town Panchayat,
Elumalai,
Peraiyur Taluk,
Madurai District.

3.Ramar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action against the third respondent for constructing a building without getting plan approval on the basis of the petitioner's representation dated 18.12.2020.



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For Petitioner	: Mr.T.Vadivelan
For Respondent No.1	: Mr.N.Satheesh Kumar Additional Government Pleader
For Respondent No.2	: No appearance
For Respondent No.3	: Ms.K.Abiya

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 respondents 1 and 2 to take necessary action against the third respondent for constructing a building without getting plan approval on the basis of the petitioner's representation dated 18.12.2020.

2.According to the petitioner, the third 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 18.12.2020 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 first respondent would submit that the representation of the petitioner, dated 18.12.2020 will be considered by the authority concerned on merits and in accordance with law within the time stipulated by this Court.

4.Considering the facts and circumstances of the case, without going into the merits of the matter, we direct the second respondent to consider the representation of the petitioner, dated 18.12.2020 and pass orders on merits and 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.

[D.K.K.,J.] [R.V.,J.]
07.03.2024

NCC : Yes / No
Index : Yes / No
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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
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