



W.P.(MD) No.2223 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.2223 of 2024

and

W.M.P.(MD)Nos.2251 and 2253 of 2024

S.Nagarajan

... Petitioner

-Vs-

- 1.The District Collector,
Pudukkottai & District.
- 2.The Revenue Divisional Officer,
Aranthangi Taluk, Pudukkottai District.
- 3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.
- 4.The Block Development Officer,
Panchayat Union Office,
Aranthangi & Taluk,
Pudukkottai District.
- 5.The President,
Village Panchayat Union,
Poovartakudi Village,
Aranthangi Taluk, Pudukkottai District.



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6.Senbagavalli

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate steps to stop and demolish the unauthorized construction made by the 6th respondent and anybody in S.F.No.277/20 of Poovatrakudi Villlage, Aranthangi Taluk, Pudukkottai District as per the provisions of Tamil Nadu Town and Country Planning Act, 1971 and the Rule 22 of Tamil Nadu Combined Development and Building Rules, 2019 within a time stipulated by this Court by considering the petitioner's representation dated 08.01.2024.

For Petitioner : Mr.R.Paranjothi

For R1 to R3 : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

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

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.We are not inclined to entertain this Writ Petition on the simple ground that in respect of the property in question, a suit in O.S.No.58 of 2011 is pending before the District Munsif Court, Aranthangi and the petitioner himself admitted that the property in question is classified as Natham. Therefore, the prayer sought



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for by the petitioner cannot be granted. Accordingly, this Writ Petition stands dismissed. As far as the allegation made by the petitioner that the 6th respondent made unauthorized construction in the property in question is concerned, it is for the 4th respondent to take necessary action in the manner known to law, if there is any unauthorized construction as alleged by the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

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

05.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Yuva

To

- 1.The District Collector,
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Pudukkottai District.
- 4.The Block Development Officer,
Panchayat Union Office,
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Pudukkottai District.



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AND

R.VIJAYAKUMAR, J.

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