



W.P.(MD) No.6339 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2024

CORAM:

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

AND

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

W.P.(MD)No.6339 of 2024

M.Yuvaraj

... Petitioner

-Vs-

- 1.The Secretary to Municipal Administration and
Water Supply Department,
Secretariat, Chennai-600 009.
- 2.The Director of Municipal Administration and
Water Supply Department,
Chennai-600 028.
- 3.The District Collector / Chairperson, High Level
Monitoring Committee,
Thanjavur District Collector Office,
Thanjavur-613 010.
- 4.The Commissioner,
Thanjavur Municipal Corporation,
Thanjavur-613 001.
- 5.Palanikumar
- 6.Krishnakumar
- 7.Srinivasan
- 8.Selvakumar
- 9.Jeyalakshmi

... Respondents



W.P.(MD) No.6339 of 2024

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate action to demolish the entire unauthorized construction made by the respondents 5 to 9 in Town Survey No.86, Neelagiri South Garden, Block No.6, Thanjavur Town, Thanjavur District based on the petitioner's representation dated 11.08.2023 as per the Tamil Nadu Town and Country Planning Act, 1971 and Tamil Nadu Town and Country Planning (Removal of Unauthorized Construction) Rules, 2022 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Rajamohan
For R1 to R3 : Mr.T.Amjadkhan,
Government Advocate
For R4 : Mr.N.Dilip Kumar

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.Mr.T.Amjadkhan, learned Government Advocate takes notice for the respondents 1 to 3 and Mr.N.Dilip Kumar, learned counsel, who takes notice for the 4th respondent, by producing a copy of Form-I Notice for production of documents, submits that the private respondents constructed the building in



W.P.(MD) No.6339 of 2024

question without obtaining due planning permission from the authority concerned and therefore, the respondent Corporation has issued notice dated 29.01.2024, directing them to produce some documents, failing which necessary action will be initiated under Section 56 of the Tamil Nadu Town and Country Planning Act, 1971.

3.In view of the aforesaid submission made by the learned counsel for the 4th respondent, this Writ Petition stands disposed of, directing the respondent Corporation to proceed with the removal of unauthorized construction made by the respondents 5 to 9 and take necessary action without any further delay. Further, the said exercise shall be monitored by the 3rd respondent / the District Collector / Chairperson, High Level Monitoring Committee as per the Government Order in G.O.(2D)No.15, Municipal Administration and Water Supply (MA.1) Department, dated 01.03.2024 and the respondent Corporation shall submit a report to the 3rd respondent periodically. No costs.

[D.K.K., J.] & [R.V., J.]
15.03.2024

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



W.P.(MD) No.6339 of 2024

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