



W.P(MD)No.7421 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2024

CORAM:

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

W.P(MD)No.7421 of 2021

and

W.M.P(MD)Nos.5602 and 6239 of 2021

P.Vasantha

... Petitioner

vs.

- 1 The Director Town Panchayat
Secretariat, Fort St. George,
Chennai - 600 001.
- 2 The Director Collector
Kanyakumari District At Nagercoil.
- 3 The Asst.Director of Town Panchayat,
Kanyakumari District, at Nagercoil.
- 4 The Assistant Divisional Engineer,
National Highways Department,
Thuckalay, Kanyakumari District.
- 5 The Executive Officer,
Valvachakostam Town Panchayat,
Kanyakumari District.
- 6 Vimala

... 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 to 5 to take appropriate action as against the 6th respondent under Section 216 of Tamilnadu District Municipalities Act, 1920 and to remove the illegal



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and unauthorized construction made by the sixth respondent in R.Sy.No. 225/2 situated at Valvachakostam “A” Village, Valvachakostam Town panchayat Kalkulam Taluk, Kanyakumari District, within the time stipulated by this Honourable Court.

For Petitioner	: Mr.M.R.Sreenivasan
For R-1 to R-5	: Mr.T.Amjad Khan, Government Advocate
For R-6	: No Appearance

ORDER

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

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 5, to take appropriate action as against the 6th respondent under Section 216 of Tamilnadu District Municipalities Act, 1920 and to remove the illegal and unauthorized construction made by the sixth respondent in R.Sy.No.225/2 situated at Valvachakostam “A” Village, Valvachakostam Town panchayat, Kalkulam Taluk, Kanyakumari District, within a stipulated period.

2. When the writ petition is taken up for hearing today, the learned Government Advocate appearing for the official respondents, has produced a communication received from the Executive Officer, Valvachakostam Town Panchayat, Kanyakumari District, by informing that the appeal



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submitted by the sixth respondent under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971, against the lock and seal of the premises, was rejected by the Government and the subject premises is under lock and seal till today.

3. In the light of the above, the fifth respondent is directed to take necessary action for removal of unauthorized construction put up by the sixth respondent, after providing opportunity to the sixth respondent. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

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

13.03.2024

NCC : Yes / No
Index : Yes / No
PM



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

PM

ORDER MADE IN
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