



W.P.(MD) No.6351 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2024

CORAM:

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

AND

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

W.P.(MD)No.6351 of 2020

and

W.M.P.(MD)No.5586 of 2020

P.Maria Paul Dhas

... Petitioner

-Vs-

1.The District Collector,
Kanyakumari District,
At Nagercoil.

2.The Assistant Director of Panchayat,
Kanyakumari District at Nagercoil.

3.The Block Development Officer,
Thuckalai Panchayat Union,
Thuckalai, Kanyakumari District.

4.The Panchayat President,
Thickanamcode Village Panchayat,
Thickanamcode, Kanyakumari District.

5.The Inspector of Police,
Thuckalai Police Station,
Thuckalai, Kanyakumari District.

6.Selvin

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 to take appropriate action under Rule 34 of Tamil Nadu Panchayat Building Rules, 1997 as against the 6th respondent herein for the unauthorized construction made by him in R.Sy.No. 727/7 of Thikkanam Code Village, Kalkulam Taluk, Kanyakumari District within the time stipulated by this Court.

For Petitioner	: Mr.M.R.Sreenivasan
For R1 to R4	: Mr.T.Amjadkhan, Government Advocate
For R5	: Mr.S.S.Madhavan, Government Advocate (Crl.Side)
For R6	: No Appearance

ORDER

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

According to the petitioner, the 6th respondent has made an unauthorized construction in R.Sy.No.727/7 of Thikkanam Code Village, Kalkulam Taluk, Kanyakumari District without obtaining necessary approval from the authority concerned. Therefore, he made a representation to the respondents 22.05.2020 to the respondents 1 to 5. However, no action has been taken on the representation of the petitioner so far. Hence, he has filed this Writ Petition.



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2.The learned Government Advocate appearing for the respondents 1 to 4 submitted that pursuant to the interim order dated 29.05.2020 passed by this Court, the 4th respondent issued notice to the 6th respondent, restraining him from constructing the building and therefore, he has not commenced any further work.

3.Recording the said submission made by the learned Government Advocate for the respondents 1 to 4, this Writ Petition stands dismissed. However, if the 6th respondent put up any unauthorized construction without getting any building plan approval from the authority concerned, the petitioner is at liberty to make a representation by pointing out the violations before the authority concerned and on receipt of the same, it is for the authority concerned to take necessary action. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
18.03.2024

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

Yuva



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D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

Yuva

To

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