



W.P(MD)No.6325 of 2023

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.6325 of 2023
and
W.M.P(MD)No.10214 of 2023**

P.Jeya

... Petitioner

vs.

- 1 The Director,
Directorate of Town and Country Planning,
Govt of Tamil Nadu,
Koyambedu,
Chennai-600 107.
- 2 The Deputy Director
Town and Country Planning Department,
No.108, Thiruvananthapuram,
Tirunelveli District.
- 3 The District Collector,
Kanyakumari District at Nagercoil
- 4 The Assistant Director,
District Town and Country Planning Office,
Collector Office Campus,
Nagercoil,
Kanyakumari District
- 5 The Assistant Director of Town Panchayat,
Kanyakumari District at
Nagercoil.
- 6 The Executive Officer,
Thiruvattar Town Panchayat,
Kanyakumari District.



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7 Thankaraj

... 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 6 to remove the unauthorized construction of RCC Roof commercial (shop) cum RCC Roof Residential building put up the 7th respondent herein in Resurvey No.903/7pt and 903/8pt of Thiruvattar Village, Thiruvattar Taluk, Kanyakumar District on the basis of the petitioner's representation made before the respondents 1 to 6 by RPAD dated 14.06.2022 and 15.03.2023 respectively.

For Petitioner	: Mr.B.Brijesh Kishore
For R-1 to R-6	: Mr.T.Amjad Khan, Government Advocate
For R-7	: Mr.K.Sekar

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 6, to remove the unauthorized construction of RCC Roof commercial (shop) cum RCC Roof Residential building put up the 7th respondent herein in Resurvey No.903/7pt and 903/8pt of Thiruvattar Village, Thiruvattar Taluk, Kanyakumar District, on the basis of the petitioner's representation made before the respondents 1 to 6, dated 14.06.2022 and 15.03.2023.



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2. When the matter is taken up for hearing today, the learned counsel appearing for the seventh respondent would submit that pursuant to the interim order granted by this Court, no further construction has been carried out and the seventh respondent has made an application for the revised plan in respect of the aforesaid building and therefore, he seeks time for getting approval from the competent authority.

4. In view of the said submission, we are granting six months time to the seventh respondent, for getting revised building plan approval from the authority concerned, failing which, the panchayat is directed to take necessary action for the removal of unauthorized construction in the aforesaid building in question, on merits and in accordance with law.

5. With the above direction, the writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

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

13.03.2024

NCC : Yes / No
Index : Yes / No
PM



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WEB COPY



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

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ORDER MADE IN
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