



WEB COPY

W.P.(MD) No.8698 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM:

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

W.P.(MD) No.8698 of 2022

B.Eswaran

... Petitioner

-VS-

- 1.The District Collector
Madurai District
Madurai-625 020
- 2.The Member Secretary
Local Planning Authority
Madurai Corporation
Madurai-625 002
- 3.The Assistant Director of Village Panchayats
District Collectorate
Madurai District
Madurai-625 020
- 4.The Block Development Officer
Madurai West Panchayat Union
Race Course Road
Madurai-625 002



W.P.(MD) No.8698 of 2022

WEB COPY

5.The Panchayat President
Vaagaikulam Panchayat
Kulamangalam Main Road
Madurai-625 017

6.Karuppaiya

7.Packiyam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to take action under Rule 34 of the Taminadu Panchayat Building Rules, 1997 in the light of the petitioner's representation dated 09.04.2022, within the time stipulated by this Court.

For Petitioner : Mr.C.M.Mari Chellaiah Prabhu

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 to R5

ORDER

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

Prayer in this writ petition is to direct the respondents to take action under Rule 34 of the Tami Nadu Panchayat Building Rules, 1997 in the light of the petitioner's representation dated 09.04.2022, within the time stipulated by this Court.



W.P.(MD) No.8698 of 2022

WEB COPY

2. According to the petitioner, the respondents 6 and 7 are constructing a house in his property without obtaining necessary permission from the authority concerned. Seeking to take action against the respondents 6 and 7 under Rule 34 of the Tami Nadu Panchayat Building Rules, 1997, the petitioner submitted a representation, dated 09.04.2022, to the respondents 2 to 5 herein. However, the same is pending consideration before the respondents 2 to 5. Therefore, the petitioner has filed the present writ petition.

3. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, we direct the respondent – Panchayat to consider the petitioner's representation dated 09.02.2022, and pass orders on merits and in accordance with law, after providing due opportunity to the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.(MD) No.8698 of 2022

4. With the above direction, this writ petition is disposed of. No costs.

[D.K.K., J.]

[R.V., J.]

07.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

1.The District Collector,
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Madurai-625 020.

2.The Member Secretary,
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Madurai Corporation,
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3.The Assistant Director of Village Panchayats,
District Collectorate,
Madurai District,
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4.The Block Development Officer,
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W.P.(MD) No.8698 of 2022

WEB COPY

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WEB COPY



W.P.(MD) No.8698 of 2022

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W.P.(MD) No.8698 of 2022

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