



W.P.(MD) No.8415 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.8415 of 2019

J.Vairamani

... Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

Prayer:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to extend the time for further three years to the plan approved by the respondent herein in respect of constructing a building in a vacant site in T.S.No.1127/1B1A in Plot No.15 situated at Ward No.24, Alagaradi 3rd Street, Madurai -16, based on the petitioner's representation dated 10.12.2018 within the time stipulated by this Court.

For Petitioner : No Appearance

For Respondent : Mr.K.Manisekaran
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent herein to extend the time for further three years to the plan approved by the respondent herein in respect of



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constructing a building in a vacant site in T.S.No.1127/1B1A in Plot No. 15, situated at Ward No.24, Alagaradi 3rd Street, Madurai -16, based on the petitioner's representation dated 10.12.2018.

2. It is the specific case of the petitioner that she obtained planning permission from the respondent on 23.06.2006 and that as per the terms and conditions of the planning permission, the petitioner was required to complete the construction within three years *i.e.*, on or before 22.06.2009.

3. It is submitted that the petitioner had to deal with certain encroachers and therefore, she filed O.S.No.518 of 2006 on 21.04.2006, which was eventually re-numbered as O.S.No.1107 of 2010 before the District Munsif Court, Madurai.

4. It is further submitted that the said suit has been decreed on 24.03.2014. Under these circumstances, the petitioner sent a representation to the respondent to extend the time for completing the construction within a period of three years from the date of receipt of the judgment and decree in O.S.No.1107 of 2010, which has been decreed on 24.03.2014.



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5. When the Writ Petition was taken up for hearing on an earlier occasion *i.e.*, on 07.06.2024, there was no representation on behalf of the petitioner and therefore, this Writ Petition was directed to be listed on 27.06.2024 [today]. It was also made clear that in case, the petitioner fails to appear on the next date of hearing, the case will be dismissed for non-prosecution.

6. Today also, there is no representation on behalf of the petitioner.

Hence, this Writ Petition is dismissed. No costs.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

27.06.2024

To

The Commissioner,
Madurai Corporation,
Madurai.



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C.SARAVANAN, J.

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