



W.P(MD)No.15636 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.15636 of 2021
and
W.M.P(MD)Nos.12592 and 12594 of 2021**

K.Muthu

... Petitioner

vs.

- 1 The Director
City Town Planning Authority, 807 Anna Salai,
Chennai - 02.
- 2 The Commissioner
Tirunelveli Corporation,
Tirunelveli.
- 3 The Executive Member (In-charge),
Tirunelveli I Town Planning Authority,
Tirunelveli.
- 4 Dhanalakshmi
- 5 Miyakhan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to complete the proceedings initiated against the respondents 4 and 5 by notices dated 30.07.2018 in Na.Ka.No.162/15/Thi.Vu.Thi.Ku and 24.08.2018 in Na.Ka.No.2839/18/Thi.Vu.Thi.Ku., for violation of the Town and Country Planning Act 1971.



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For Petitioner	: Mr.M.Ramu
For R-1 to R-3	: Mr.S.P.Maharajan, Special Government Pleader
For R-4	: Mr.D.Nallathambi

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, to direct the respondents 1 to 3, to complete the proceedings initiated against the respondents 4 and 5, by notices dated 30.07.2018 in Na.Ka.No.162/15/Thi.Vu.Thi.Ku and 24.08.2018 in Na.Ka.No.2839/18/Thi.Vu.Thi.Ku., for violation of the Town and Country Planning Act, 1971.

2. According to the petitioner, the respondents 4 and 5, constructed the textile showrooms by violating the Rules and for that, notices have been issued to them in the year 2018 and thereafter, no steps have been taken by the authorities and hence, the petitioner has filed this writ petition with the aforesaid prayer.



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3. However, the learned counsel appearing for the fourth respondent would submit that the petitioner's vehicle, which was parked in the textile showroom of the respondents 4 and 5, was found missing. In this regard, the petitioner has also made a complaint before the jurisdictional police station. Due to such personal animosity, he has filed this writ petition with the aforesaid prayer.

4. We have heard the learned counsel appearing on either side and perused the materials placed before us.

5. First of all, the petitioner has filed this single writ petition challenging the notices issued in respect of two different buildings to two different owners and the same cannot be entertained. Further, it is seen that due to personal animosity, the petitioner has filed this writ petition. However, considering the fact that the Town and Country Planning Authority had already initiated proceedings against the respondents 4 and 5, liberty is granted to the petitioner to make further representation before the authorities to conclude the proceedings initiated against the respondents 4 and 5.



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6. With the above observations, 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

To:

- 1 The Director
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- 2 The Commissioner
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Tirunelveli.
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Tirunelveli.



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

PM

ORDER MADE IN
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