



W.P.(MD) No.17374 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE MR.D.KRISHNAKUMAR,

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.17374 of 2024

S.Muthuramalingam

... Petitioner

-Vs-

1.The District Collector / Monitoring Committee,

Tirunelveli District,

Tirunelveli.

2.The Superintendent of Police,

Tirunelveli District.

3.The Commissioner of Tirunelveli Corporation,

Officer of the Thoothukudi Corporation,

Thoothukudi.

4.The Secretary / Member (Incharge),

Town Planning Approval Controlling Authority,

Office of the Town Planning Approval Officer,

Thoothukudi.

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5.The Tahsildar,
Palayamkottai Taluk,
Kokkirakulam,
Tirunelveli.

6.M.Xavier Pappa

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take action against the sixth respondent based on the petitioner's representation dated 01.07.2024 within stipulated time fixed by this Court.

For Petitioner : Mr.M.Anbarasan

For R1, R4 & R5 : Mr.P.Thilak Kumar,
Government Pleader

For R2 : Mr.S.Ravi
Additional Public Prosecutor

For R3 : Mr.S.P.Maharajan,
Special Government Pleader



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ORDER

[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]

The prayer sought for in this Writ Petition is to direct the respondents 1 to 5 to take action against the sixth respondent based on the petitioner's representation dated 01.07.2024.

2.The short point involved in the present Writ Petition is that the sixth respondent has made an application to the authorities for getting approval for the godown and she has given an extent of 47 cents to the Local Body through a settlement deed dated 24.08.2022. According to the petitioner, after the execution of the settlement deed, approval has been granted to the sixth respondent for the operation of the said godown. Thereafter, now the sixth respondent has put up a compound wall in the land which was given to the local body and is in illegal possession of the same, thereby violating the building permit rules. In respect of this, the petitioner has made a representation to the official respondents dated 01.07.2024. Since, the said representation remains unattended, the petitioner has approached this Court with the present Writ Petition.



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3.Considering the limited scope of the prayer sought for by the petitioner, this Court is inclined to direct the third respondent to take necessary action on the representation submitted by the petitioner dated 01.07.2024 and to pass appropriate orders thereon on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and parties concerned, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

4.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

[D.K.K., A.C.J.] & [R.V., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MR



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D.KRISHNAKUMAR, A.C.J.

AND

R.VIJAYAKUMAR, J.

MR

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