



W.P.(MD)No.21431 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.21431 of 2018

and

W.M.P.(MD)No.19312 of 2018

N.Ramalingam

: Petitioner

Vs.

1.The Member Secretary,
Local Planning Authority,
No.71, Williams Road,
Trichy.

2.The Commissioner,
Kulithalai Municipality,
Kulithalai.

3.Sathiya

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the illegal construction made by the third respondent in Survey No.43/6B1, Kulithalai Town, Kulithalai, Karur District, by considering the representation dated 01.10.2018.



For Petitioner : Mr.R.Murali
For Respondent No.1 : Mr.S.P.Maharajan
Special Government Pleader
For Respondent No.2 : Mr.M.Rajarajan
For Respondent No.3 : Mr.M.Suresh

ORDER

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

The petitioner seeks for a direction to the respondents 1 and 2 to take appropriate action against the illegal construction made by the third respondent in Survey No.43/6B1, Kulithalai Town, Kulithalai, Karur District, by considering the petitioner's representation dated 01.10.2018.

2.Learned Counsel for the third respondent submitted that the third respondent got permission from the Municipality for the construction of the commercial complex in the property in question.

3.The learned Counsel for the petitioner refuted the said submission of the learned Counsel for the third respondent by stating that the description of the property is not clear.



4.The above aspects are all disputed facts and therefore, we direct the second respondent Municipality to provide an opportunity to the parties concerned and to take appropriate decision in accordance with law. It is needless to say that the petitioner shall also submit all the relevant records before the second respondent within a period of two [2] weeks from the date of receipt of a copy of this order. The second respondent shall take appropriate decision within a period of twelve [12] weeks thereafter.

5.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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

27.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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D.KRISHNAKUMAR, J.

and

R.VIJAYAKUMAR, J.

MR

ORDER MADE IN

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