



W.P(MD)No.20003 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.03.2024

CORAM:

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

**W.P(MD)No.20003 of 2020
and
W.M.P(MD)No.16662 of 2020**

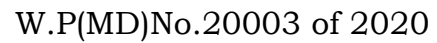
A/M.Ariya Nachi Periya Nayagai Amman Kovil,
Rep. by its Kudipattu Makkal Vagaiyara of
Inamkalpalayam

- 1.Senthil Kumar,
- 2.Mohan Raj
- 3.Prabhakaran
- 4.Muthaiyan

... Petitioners

vs.

1. The District Collector,
Tiruchirappalli.
- 2.The Revenue Divisional Officer,
Lalgudi Post,
Tiruchirappalli District – 621 601.
- 3.The Tahsildar,
Manachanallur Post,
Tiruchirappalli District – 621 005.
- 4.The Commissioner,
Panchayat Union,
Manachanallur Post,
Tiruchirappalli District – 621 005.



6.Ganesan Pillai
7.Gandhimathi

.... Respondents

For Petitioners	: M/s.J.Maria Roseline
For R-1 to R-3	: Mr.N.Satheesh Kumar, Additional Government Pleader
For R-4	: Mr.S.Dhayalan
For R-5	: No Appearance
For R-6 & R-7	: Mr.C.Mahadevan



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W.P(MD)No.20003 of 2020

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioners have filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 5, to consider the representation of the petitioner, dated 23.09.2020 and remove the unauthorized construction raised by the respondents 6 and 7 in survey No.239/24 situated at Inamkalpalayam Village, Manachanallur Taluk, Tiruchirappalli District and to direct the respondents 1 and 2, to take disciplinary action against the concerned Tahsildar, Manachanallur, who had fraudulently effected reclassification and subdivision of Survey No.239/24 situated at Inamkalpalayam Village, Manachanallur Taluk, Tiruchirappalli District, pending disposal of the writ petition.

2. The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, would submit that the subject building is constructed by the respondents 6 and 7, without getting approval from the authorities concerned and therefore, they cannot have any defence for the contention of the petitioners.



W.P(MD)No.20003 of 2020

WEB COPY

3. In the light of the above, we direct the respondents 4 and 5, to take necessary action for the unauthorized construction put up by the respondents 6 and 7, by following the procedure contemplated under law after providing opportunity to all the parties concerned. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. The second limb of the prayer is concerned, such finding of the revenue authorities are become final and therefore, it is for the petitioners, to approach the authorities concerned to take action against the Tahsildar concerned.

5. With the above directions and observations, this writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
20.03.2024

NCC : Yes / No
Index : Yes / No
PM



W.P(MD)No.20003 of 2020

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To

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4. The Commissioner,
Panchayat Union,
Manachanallur Post,
Tiruchirappalli District – 621 005.
5. The Panchayat Secretary,
Inamkalpalayam Panchayat,
Kalpalayam Post,
Tiruchirappalli District.



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W.P(MD)No.20003 of 2020

D. KRISHNAKUMAR,J.

and

R.VIJAYAKUMAR,J.

PM

ORDER MADE IN
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