



W.P(MD)No.19298 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2024

CORAM:

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

W.P(MD)No.19298 of 2021

M.Senthil Muthu

... Petitioner

VS.

- 1.The Commissioner,
Trichy City Municipal Corporation,
Trichy, Trichy District.
- 2.The Assistant Commissioner,
Trichy City Municipal Corporation,
Trichy, Trichy District.
- 3.The Director,
Directorate of Town and Country Planning,
2nd Floor, E & C Market Road,
Koyambedu,
Chennai.
- 4.The Joint Director,
Trichy District Town and Country Planning Office,
Khajamalai Main Road,
Khajamalai,
Trichy.

5.R.Venkatalakshmi

... Respondents



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WEB C **PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to stop illegal construction of the fifth respondent at Door No.P-20 at T.S.No.1586 new T.S.No.66 of Ahamed Colony, Ramalingam Nagar, Trichy District on the basis of the representation, dated 31.08.2021 made by the writ petitioner within the stipulated period.

For Petitioner	: Mr.B.Rajesh Saravanan
For Respondent Nos.1 & 4	: Mr.R.Baskaran Standing Counsel for M/s.R.B.Law Associates

ORDER

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

Prayer in this Writ Petition is to direct the respondents 1 to 4 to stop illegal construction of the fifth respondent at Door No.P-20 at T.S.No. 1586 new T.S.No.66 of Ahamed Colony, Ramalingam Nagar, Trichy District on the basis of the representation, dated 31.08.2021 made by the petitioner within the stipulated period.

2.According to the petitioner, the fifth respondent has made unauthorized construction in the building in question, without obtaining building permission from the authority concerned. Hence, the petitioner



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submitted a representation dated 31.08.2021 to the authority concerned.

However, the said representation has not been considered. Hence, the petitioner has filed the present Writ Petition.

3.The learned Standing Counsel appearing for the respondents 1 to 4, on instructions, submits that stop work notice has been served by the first respondent to the fifth respondent and the authority concerned will take necessary action for removal of the unauthorized construction in accordance with law.

4.Considering the limited scope of the prayer sought for by the petitioner, we direct the first respondent to consider the representation of the petitioner dated 31.08.2021, and pass appropriate orders on merits and in accordance with law, after providing due opportunity to the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

5.To be noted, in order to curb the unauthorized constructions, the Government has constituted a High Level Monitoring Committee and issued G.O.(2D) No.15, Municipal Administration and Water Supply (MA.1)



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Department, dated 01.03.2024. The Monitoring Committee shall monitor the inspection of the unauthorized constructions as per the said Government Order. The first respondent shall file an action taken report before the Monitoring Committee for removal of the unauthorized construction made by the fifth respondent.

6.With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]
18.03.2024

NCC : Yes / No
Index : Yes / No
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ORDER MADE IN
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