



W.P.(MD) No.18986 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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S.AdhiBasha

... Petitioner

-VS-

1.Madurai Municipal Corporation,
Through its Commissioner,
Anna Malgai, Madurai.

2.The Assistant Commissioner,
Zone-4(South),
Madurai Corporation,
Madurai.

3.S.M.Abdulkadhar

4.Abdul RawoobNistar

5.A.AbdulKadhar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st and 2nd respondents to remove the unauthorized construction made in T.S.No.279 and T.S.No.280 at Venkatesalu Naidu Lane, Keelasandhaipettai, Madurai, particularly construction of two floors without any permission and also other deviations made by the respondents 3 to 5 by disposing petitioner's representation dated 27.06.2024.



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For Petitioner : Mr.S.Saravana Kumar
For R-1 & R-2 : Mr.K.Sivabalan,
Standing Counsel

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

This writ petition is filed to issue a Writ of Mandamus directing the 1st and 2nd respondents to remove the unauthorized construction made in T.S.Nos.279 and 280 at Venkatesalu Naidu Lane, Keelasandhaipettai, Madurai, particularly the construction of two floors without any permission and also other deviations made by the respondents 3 to 5.

2. Mr.K.Sivabalan, learned Standing Counsel takes notice for respondents 1 and 2.

3. It is the complaint of the petitioner that the respondents 3 to 5, have constructed a building in T.S.Nos.279 and 280 at Venkatesalu Naidu Lane, Keelasandhaipettai, Madurai, without sanctioned plan. The wife of the petitioner has filed a suit against the third respondent and three others seeking a permanent injunction restraining them from interfering with her possession of the property in the said Survey



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Nos.279 and 280. The said suit has been decreed. It is seen that an appeal is pending.

4. We are of the considered opinion that this writ petition is out of personal rivalry and not in public interest. Hence, this writ petition is dismissed. No Costs.

[R.S.M., J.]

[L.V.G., J.]

06.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

PM

To:

1.Madurai Municipal Corporation,
Through its Commissioner,
Anna Malgai, Madurai.

2.The Assistant Commissioner,
Zone-4(South),
Madurai Corporation,
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