



W.P(MD)No.9878 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM:

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

W.P(MD)No.9878 of 2018

B.Balakrishna Prabu

... Petitioner

VS.

1.The District Collector,
Collectorate Building,
Tirunelveli District.

2.Thirumalai

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to consider the representation of the petitioner, dated 22.01.2018 to remove the unauthorized construction which is situated at Survey Nos.1633/25 and 1633/18, Thippanampatty Village, Shenneltha Puthukulam, Tenkasi Taluk, Tirunelveli District.



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For Petitioner : Mr.S.Moorthy
For Respondent No.1 : Mr.T.Amjadkhan
Government Advocate

ORDER

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

Seeking to remove the unauthorized construction made by the second respondent in Survey Nos.1633/25 and 1633/18, Thippanampatty Village, Shenneltha Puthukulam, Tenkasi Taluk, Tirunelveli District, the petitioner has made a representation, dated 22.01.2018 to the first respondent. Since the said representation has not been considered, the petitioner has filed the present Writ Petition.

2.Today, when the matter was taken up for hearing, learned Government Advocate appearing for the first respondent would submit that due to the bifurcation of Tirunelveli District, the jurisdiction of the property in question comes under Tenkasi District.



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3.In view of the above submission, though the District was bifurcated long back, the petitioner has not taken any steps to bring on record, the District Collector of Tenkasi District. That apart, the petitioner has not made the Revenue authorities ie., the Tahsildar as a party respondent in this Writ Petition. In such circumstances, we are not inclined to entertain this Writ Petition.

4.Accordingly, the Writ Petition is dismissed. No costs.

[D.K.K.,J.] [R.V.,J.]
31.01.2024

NCC : Yes / No
Index : Yes / No
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To

The District Collector,
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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

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