



W.P.(MD) No.20346 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM:

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

**W.P.(MD) No.20346 of 2024
and
W.M.P.(MD)No.17254 of 2024**

S.Packiyalakshmi

... Petitioner

-VS-

1.The District Collector,
Theni District,
Theni.

2.The Tahsildar,
Theni Taluk,
Theni District.

3.The Executive Officer,
Palanichettipatti Town Panchayat,
Palanichettipatti ,
Theni District.

4.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Theni – 625 531.

5.The Assistant Engineer,
Tamil nadu Generation and Distribution Corporation Limited,
(Operation and Maintenance),
Palanichettipatti,
Theni District – 625 531.

6.C.Velkumar

... Respondents



W.P.(MD) No.20346 of 2024

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Executive Officer, Palanichettipatti Town Panchayat, Theni District, third respondent herein, to take action against the 6th respondent for the unauthorized construction made in the private pathway belonged to the petitioner situate in Survey Nos.1436/5C1A and 1436/5B2D, at Palanichettipatti, Theni District, by considering the representation dated 08.08.2024.

For Petitioner	: Mr.S.Siva Thilakar
For Respondents 1 & 2	: Mr.S.P.Maharajan Special Government Pleader
For 3 rd Respondent	: Mr.P.T.Thiraviyam Government Advocate
For Respondents 4 & 5	: Mr.S.Deena Dhayalan Standing Counsel
For 6 th Respondent	: Mr.D.S.Haroon Rasheed

ORDER

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

Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents 1 and 2. Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the 3rd respondent. Mr.S.Deena Dhayalan, learned Standing Counsel takes notice for the respondents 4 and 5. Mr.D.S.Haroon Rasheed, learned counsel takes notice for the 6th respondent. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2.The writ petitioner complaints of unauthorized construction in a private path way. This Writ Petition is an abuse of process of Court as the



W.P.(MD) No.20346 of 2024

petitioner seeks to redress his personal grievance through this Writ Petition.

WEB COPY

3.The learned counsel appearing for the 6th respondent would submit that the building permission has already been granted to them by the Directorate of Town and Country Planning and an earlier Writ Petition filed by the father of the 6th respondent has been allowed, directing removal of the encroachment made by the present petitioner among others.

4.Hence, we do not see any merit in this Writ Petition. The Writ Petition is therefore, dismissed. No costs. Consequently, connected miscellaneous petition is closed

[R.S.M., J.]

[L.V.G., J.]

27.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Mrn/Sml



W.P.(MD) No.20346 of 2024

WEB COPY

To

- 1.The District Collector,
Theni District,
Theni.
- 2.The Tahsildar,
Theni Taluk,
Theni District.
- 3.The Executive Officer,
Palanichettipatti Town Panchayat,
Palanichettipatti ,
Theni District.
- 4.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Theni – 625 531.
- 5.The Assistant Engineer,
Tamil nadu Generation and Distribution Corporation Limited,
(Operation and Maintenance),
Palanichettipatti,
Theni District – 625 531.



WEB COPY



W.P.(MD) No.20346 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn/Sml

W.P.(MD) No.20346 of 2024

27.08.2024