



W.P(MD)No.1629 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2024

CORAM:

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

**W.P(MD)No.1629 of 2014
and
M.P(MD)Nos.1 & 2 of 2014**

A.S.Velmurugan

... Petitioner

VS.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North Taluk,
Collectorate Campus,
Madurai.

3.The Executive Officer,
Paravai Town Panchayat,
Paravai,
Madurai District.

4.G.Karuppasamy

... Respondents

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 3 to take action against the fourth respondent for constructing building



W.P(MD)No.1629 of 2014

without permission from the respondents 2 and 3 in respect of the land in S.F.No.168/43, Arunthathiyar Street, Sathyamoorthy Nagar, Samayanallur Post, Madurai District consequently demolish the unauthorized structure made by the fourth respondent in contravention with the assignment patta given by the third respondent.

For Petitioner	: Mr.S.Karthick
For Respondent Nos.1 & 2	: Mr.N.Satheesh Kumar Additional Government Pleader
For Respondent Nos.3 & 4	: No appearance

ORDER

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

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take action against the fourth respondent for constructing building without permission from the respondents 2 and 3 in respect of the land in S.F.No.168/43, Arunthathiyar Street, Sathyamoorthy Nagar, Samayanallur Post, Madurai District, consequently demolish the unauthorized structure made by the fourth respondent in contravention with the assignment patta given by the third respondent.



W.P(MD)No.1629 of 2014

WEB COPY

2. According to the petitioner, the fourth respondent had constructed the building in question without valid approval and proper permission from the competent authority. Seeking to remove the said unauthorized construction, the petitioner sent a representation dated 25.01.2014 to the authorities concerned. Since no action has been taken by the authorities concerned, the petitioner has filed the present Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the representation of the petitioner, dated 25.01.2014 will be considered by the authority concerned on merits and in accordance with law, within the time stipulated by this Court.

4. Considering the facts and circumstances and also considering the fact that the representation of the petitioner is pending before the respondents 1 to 3, without going into the merits of the matter, we direct the third respondent to consider the representation of the petitioner dated 25.01.2014 and pass orders on merits and in accordance with law, after providing due opportunity to the parties concerned. Such an exercise shall



W.P(MD)No.1629 of 2014

WEB COPY

be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
06.03.2024
(1/3)

NCC : Yes / No
Index : Yes / No
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To

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Madurai.
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W.P(MD)No.1629 of 2014

D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

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ORDER MADE IN
W.P(MD)No.1629 of 2014

DATED : 06.03.2024
(1/3)