



W.P.(MD)No.10712 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.10712 of 2015

Akni Ganesan

... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai.
2. The Assistant Director of Panchayat,
A.D. Panchayat Office,
Collectorate Campus,
Madurai.
3. The President,
Mekkilarpatti Panchayat,
Usilampatti Taluk,
Madurai District.
4. Chithra

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the 1st
respondent to consider the petitioner's representation dated 16.06.2015



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and stop the illegal construction made by the 4th respondent in Survey No.20 in Sikkampatti, Mekkilarpatti Panchayat, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.S.Balaji
For R1 and R2 : Mr.P.Subba Raj,
Special Government Pleader
For R3 : Mr.T.S.Mohammed Mohideen
For R4 : Mr.T.Antony Arul Raj

ORDER

The petitioner is a resident of Madurai Main Road, Usilampatti, opposite to TNSSTC Depot and has approached this Court for a Mandamus directing the first respondent to consider his representation dated 16.06.2015 and to stop the construction of the 4th respondent in Survey No.20 at Sikkampatti, Mekkilarpatti Panchayat, Usilampatti Taluk, Madurai District.

2. The petitioner has submitted the above representation to the 3rd respondent stating that the 4th respondent is constructing a Marriage



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Hall in Survey No.20 at Sikkampatti, without following the Panchayat Rules and Highways Rules, for which, a reply letter has also been sent by the 3rd respondent/the Panchayat President that the 4th respondent has obtained permission for constructing a godown in the said survey number, but, he is constructing a Marriage Hall deviating the plan approval. Therefore, the learned counsel appearing for the petitioner, by referring to the letter of the 3rd respondent/the Panchayat President, has requested to issue a direction as against the 4th respondent.

3. The learned counsel appearing for the 3rd respondent submits that the 3rd respondent is not the present Panchayat President and therefore, he has to get instructions from the present Panchayat President.

4. The learned counsel appearing for the 4th respondent has produced a photograph stating that it is not a Marriage Hall and it is a commercial building. The petitioner, under the pretext that the 4th



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respondent is attempting to construct a Marriage Hall, has submitted the above representation. The learned counsel further submits that the commercial building is only to an extent of 4484 sq. ft. and building plan approval has also been granted to the 4th respondent. He has also produced the building plan approval given by the Panchayat President.

5. In view of the submission made by the learned counsel appearing for the 4th respondent that only after getting approval from the Panchayat President, the 4th respondent has constructed a commercial building and it is not a Marriage Hall, this writ petition is closed. No costs.

02.01.2024

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



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B.PUGALENDHI, J.

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