



W.P(MD)No.15300 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2024

CORAM:

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

**W.P(MD)No.15300 of 2018
and
W.M.P(MD)No.13812 of 2018**

G.Noorbatcha

... Petitioner

VS.

1.The District Collector,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Madurai District, Madurai.

3.The Commissioner,
Madurai Corporation,
Madurai.

4.The Tahsildar,
North Taluk Office,
Madurai,
Madurai District.

5.The Inspector of Police,
Thallakulam Police Station,
Thallakulam,
Madurai District.

6.Abdul Kadhar Jailani

... Respondents

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WEB C 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 5 herein to take appropriate action against the sixth respondent herein for his authorised construction without obtaining prior approval from the third respondent for demolition and reconstruction with necessary plan approval and on the basis of the petitioner's representations dated 28.06.2018 and 09.07.2018 respectively within the stipulated time fixed by this Court.

For Petitioner : Mr.A.Saravanan

For Respondent Nos.1, 2 & 4 : Mr.S.P.Maharajan
Special Government Pleader

For Respondent No.3 : Mr.K.Manisekaran

For Respondent No.5 : Mr.S.S.Madhavan
Government Advocate (Criminal Side)

For Respondent No.6 : Mr.S.Ramu

ORDER

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

The petitioner has come forward with this Writ Petition, seeking for a direction to the respondents 1 to 5 to take appropriate action against the sixth respondent for his authorised construction without obtaining prior approval from the third respondent for demolition and reconstruction with necessary plan approval and on the basis of the petitioner's representations dated 28.06.2018 and 09.07.2018 within the stipulated time fixed by this Court.

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2. Seeking to remove the unauthorized construction made by the sixth respondent, the petitioner submitted representations, dated 28.06.2018 and 09.07.2018 to the respondents 1 to 5. Till date, no action has been taken. Hence, this writ petition.

3. The sixth respondent has filed a counter-affidavit, wherein it is stated that the third respondent granted approval vide building permission No.Ma.2/6/18, dated 09.01.2018.

4. In view of the above, nothing survives for adjudication in the Writ Petition. Accordingly, the Writ Petition is dismissed as infructuous. However, if there is any violation contrary to the building plan approval, it is open to the petitioner to work out his remedy in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
20.02.2024

NCC : Yes / No
Index : Yes / No
ps

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

ps

ORDER MADE IN
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