



W.P(MD)No.21411 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2024

CORAM :

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

**W.P(MD)No.21411 of 2024
and
WMP(MD)No.18121 of 2024**

1. R.Stalin Jayakumar
2. R.Jerin Santha Kumar

... Petitioners

vs.

1. The District Collector,
Kanyakumari District,
Collectorate,
Nagercoil,
Kanyakumari District.
2. The Assistant Director (Panchayat)
Directorate of Town Panchayat,
Collectorate,
Nagercoil,
Kanyakumari District.-629 001.
3. The Executive Officer,
Vilavoor Grade I Panchayat,
Moolachel,
Kanyakumari District-629175.
4. Bright Henry
5. Pushpakala

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the unauthorised construction made by the 4th respondent in his land in Survey No.1/1B3 of Thuckalay Village, Kalkulam Taluk, Kanyakumari District.

For Petitioner : Mr.T.Antony Arul Raj
For R1 & R2 : Mr.S.P.Maharajan
Special Government Pleader
For R3 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

The prayer in the writ petition reads as follows:

"To issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the unauthorised construction made by the 4th respondent in his land in Survey No.1/1B3 of Thuckalay Village, Kalkulam Taluk, Kanyakumari District."

2. Mr.S.R.A.Ramachandran, learned Additional Government Pleader appearing for the 3rd respondent would submit that permission sought for by the 5th respondent for putting up the construction in the property in Survey No. 1/1B3 was rejected for the reason that the building does not conform to the specifications under the Tamil Nadu Integrated Development and Building



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Rules-2019. It is also stated that the action is underway for locking and sealing the premises.

3. Recording the same, the Writ Petition is disposed of with a direction to the authorities to pursue the action taken under the Tamil Nadu Integrated Development and Building Rules-2019 to its logical conclusion. If action is not taken within a period of twelve weeks from the date of receipt of a copy of this order, it will be open to the petitioner to seek re-opening of the writ petition. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M, J.) (L.V.G, J.)
06.09.2024

Index : Yes / No
Neutral Citation : Yes / No
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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3. The Executive Officer,
Vilavoor Grade I Panchayat,
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Kanyakumari District-629175.

ORDER MADE IN
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