



W.P(MD)No.10864 of 2016

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 11.01.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR  
and  
THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P(MD)No.10864 of 2016**

Meenakshi Sundaram

... Petitioner

VS.

- 1.The Commissioner,  
City Municipal Corporation,  
Trichy.
- 2.The Assistant Commissioner,  
City Municipal Corporation,  
Ponmalai Division,  
Tiruchirappalli Corporation,  
Trichy.
- 3.S.K.M.Bivi Fathima

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to take immediate action to demolish the illegal constructions made in the building bearing Door Nos.69, 70 and 71 in S.F.Nos.19/4A, New Ward A.E and new Block No.13, T.S.Nos.212, 213, 214 and 215 on the basis of the petitioner's representation, dated 30.03.2016.



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|----------------|----------------------------------------------|
| For Petitioner | : Mr.S.Ramakrishnan<br>for Mr.B.Jameel Arasu |
| For RR 1 & 2   | : Mr.R.Baskaran<br>Senior Counsel            |
| For R – 3      | : Mr.S.Vinayak                               |

**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 to take immediate action to demolish the illegal constructions made in the building bearing Door Nos.69, 70 and 71 in S.F.Nos.19/4A, New Ward A.E and new Block No.13, T.S.Nos. 212, 213, 214 and 215 on the basis of the petitioner's representation, dated 30.03.2016.

2.According to the petitioner, the third respondent made unauthorized construction in the subject property. Hence, the petitioner sent a representation dated 30.03.2016 to the respondents to take immediate action to demolish the illegal constructions in the subject property. Since the said representation has not been considered, the present Writ Petition has been filed.



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3.The learned counsel appearing for the third respondent submitted that for unauthorized construction, already the third respondent made a representation before the Commissioner for regularization of unauthorized construction in terms of Section 135 of the Tamil Nadu Urban Local Bodies Act, 1988.

4.In view of the above, the first respondent is directed to consider the representation of the petitioner, dated 30.03.2016 as well as application of the third respondent under Section 135 of the Urban Local Bodies Act, 1988 and pass appropriate orders on merits and in accordance with law, after providing due opportunity to the parties concerned. Such an exercise shall 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.

**[D.K.K.,J.]      [M.D.I.,J.]**  
**11.01.2024**

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

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To

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**D. KRISHNAKUMAR,J.**  
**and**  
**M.DHANDAPANI,J.**

ps

**ORDER MADE IN**  
**W.P(MD)No.10864 of 2016**

**DATED : 11.01.2024**