



W.P(MD)No.22436 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2024

CORAM:

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

**W.P(MD)No.22436 of 2021
and
W.M.P(MD)No.18971 of 2021**

Regu Thilak D.John

... Petitioner

vs.

- 1 The District Collector
Kanyakumari District,
At Nagercoil.
- 2 The Revenue Divisional Officer/ Sub Collector,
Padmanabhapuram,
Thuckalay Post,
Kanyakumari District.
- 3 The Assistant Director
Mines and Minerals,
Collectorate Campus,
Nagercoil, Kanyakumari District.
- 4 The Assistant Director
Town and Country Planning,
Collectorate Campus, Nagercoil-1,
Kanyakumari District.
- 5 The Tahsildar
Kalkulam Taluk,
Thuckalay Post,
Kanyakumari District.
- 6 The Executive Officer
Kallukootam Town Panchayat,
Kallukootam Post,
Kanyakumari District.



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7th D.Mahizh Thanga Kumar

... 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 6 to take appropriate action against the 7th respondent for unauthorized construction put up by the 7th respondent in re-survey No.270/9, 270/6A and 270/6B admeasuring 9 cents 250 square lings of Neyoor Village, Kanyakumari District in violation of the plan permission granted by the 6th respondent by considering the representation dated 23.08.2021 and 10.09.2021.

For Petitioner	: Mr.S.C.Herold Singh
For R-1 to R-6	: Mr.T.Amjad Khan, Government Advocate
For R-7	: Mr.Ragatheesh Kumar forbearing M/s.Isaac Chambers

ORDER

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

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 6, to take appropriate action against the 7th respondent for the unauthorized construction put up by the 7th respondent in re-survey Nos.270/9, 270/6A and 270/6B, admeasuring 9 cents 250 square lings of Neyoor Village, Kanyakumari District, in violation of the planning permission granted by the 6th respondent, by considering the representation of the petitioner, dated 23.08.2021 and 10.09.2021.



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2. When the writ petition is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner is no more.

3. According to the learned Government Advocate, planning permission was obtained by the seventh respondent. But, there is deviation in the construction of the building in question.

4. In view of the above, based on the submission made by the learned counsel appearing on either side, we direct the respondents 1 to 6, to take necessary action if there is any violation of the planning permission in the construction put up by the seventh respondent, by following due process of law.

5. With the above direction, this writ petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.]

[R.V.,J.]

13.03.2024

NCC : Yes / No
Index : Yes / No



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

PM

ORDER MADE IN
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