



WEB COPY



W.P.(MD) No.16081 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.16081 of 2016

and

W.M.P.(MD)No.11753 of 2016

A.Jothipandi

... Petitioner

-Vs-

1.The Commissioner,
Trichirappalli City Corporation,
Cantonment, Trichirappalli.

2.The Assistant Commissioner,
Sri Rengam Zone, Zonal Office,
Trichirappalli City Corporation,
Tiruchirappalli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Na.Ka.No.3748/2016/F-1/tnf, dated 19.07.2016 and quash the same as illegal and arbitrary and consequently, to direct the respondents to issue approved plan for the construction of the petitioner in S.No.1518 in Velli Thirumutham Village, Srirangam Circle, Srirangam, Trichirappalli.

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For Petitioner : Mr.M.Ashok Kumar
For Respondents : Mr.K.S.Kishore Ram,
for M/s.R.B.Law Associates

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

Challenging the notice dated 19.07.2016 issued by the 2nd respondent, this Writ Petition is filed with a consequential direction to the respondents to issue approved plan for the construction of the petitioner in S.No.1518 in Velli Thirumutham Village, Srirangam Circle, Srirangam, Trichirappalli.

2.The learned counsel appearing for the petitioner submitted that the petitioner has not carried out any construction work in the property in question. He further submitted that the petitioner would be satisfied, if she is permitted to make a fresh representation, seeking for approved plan to the respondent Corporation and the same may be directed to be considered by the respondent Corporation within a period stipulated by this Court.

3.In the light of the aforesaid submission, we direct the petitioner to make a fresh representation to the respondent Corporation seeking for approved



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plan within a period of one week from the date of receipt of a copy of this order.

On receipt of the same, the respondent Corporation is directed to consider the same and take appropriate decision, if the petitioner is otherwise entitled as per the rules. We make it clear that if the petitioner has not complied with the building rules or any Government Orders, the respondent is directed to take necessary action for removal of the unauthorized construction in the property in question. The said action to be carried out by the respondent Corporation shall be monitored by the High Level Monitoring Committee headed by the District Collector, Trichirappalli.

4. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
28.03.2024

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

Yuva

To
1. The Commissioner,
Trichirappalli City Corporation,
Cantonment, Trichirappalli.

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2.The Assistant Commissioner,
Sri Rengam Zone, Zonal Office,
Trichirappalli City Corporation,
Tiruchirappalli.

Copy to
The Chairperson / District Collector,
High Level Monitoring Committee,
Trichirappalli District.

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28.03.2024