



W.P.(MD) No.22803 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2024

CORAM:

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

**W.P.(MD) No.22803 of 2024
and
W.M.P.(MD)No.19331 of 2024**

Vadivelan

... Petitioner

-VS-

1.The Panchayat President,
Thalakkavur Village Panchayat,
Kallal Union,
Sivagangai District.

2.N.Ranganayagi

... Respondents

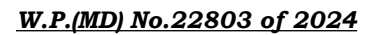
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order dated 10.09.2024 passed by the 1st respondent and quash the same.

For Petitioner	: Mr.N.Jeyaram Sidharth
For 1 st Respondent	: Mr.S.R.A.Ramachandran Additional Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.R.A.Ramachandran, learned Additional Government Pleader takes notice for the 1st respondent. Since we are not passing any adverse



4. Considering the nature of construction and the fact that a civil suit filed by the persons, who complained of unauthorized construction, has also been dismissed for default as early as on 30.09.2021, we deem it fit to permit the petitioner to seek retention of the building under Section 49 of the Tamil Nadu Town and Country Planning Act, 1971, before the competent authority. If the petitioner makes an application within a period of four weeks from today, seeking retention, the competent authority will consider the same and pass appropriate orders, without being influenced by the fact that the petitioner has already been asked to remove the unauthorized



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construction. Till such time, the representation of the petitioner is disposed of. The authorities shall not take any coercive action for demolition of the offending construction.

5.The Writ Petition is disposed of with the above observation. No costs.
Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

25.09.2024

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

To

The Panchayat President,
Thalakkavur Village Panchayat,
Kallal Union,
Sivagangai District.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

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