



W.P(MD)No.18302 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2024

CORAM:

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

W.P(MD)No.18302 of 2016

Durairaj

... Petitioner

VS.

1.The District Collector,
Karur District,
Karur.

2.The Block Development Officer (Village Panchayat),
Krishnarayapuram,
Karur District.

3.The Panchayat President,
Kalapalli Panchayat,
Lalapettai Post,
Krishnarayapuram Taluk,
Karur District.

4.P.Thirunavukarasu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 2 and 3 to take appropriate and necessary action based on the petitioner's representation dated 26.03.2016 under Rule 34 of the Tamil Nadu Panchayat Building Rules, 1997.

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For Petitioner	: Mr.M.Saravanan
For Respondent Nos.1 & 2	: Mr.N.Satheesh Kumar Additional Government Pleader
For Respondent No.4	: Mr.K.Govindarajan

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 2 and 3 to take appropriate and necessary action based on the petitioner's representation dated 26.03.2016 under Rule 34 of the Tamil Nadu Panchayat Building Rules, 1997.

2.The learned counsel appearing for the petitioner would submit that without obtaining any permission from the authority concerned, the fourth respondent has put up construction in the property in question. Seeking to remove the unauthorized construction, the petitioner sent a representation, dated 20.05.2016 to the first respondent/District Collector,



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Karur and the first respondent has forwarded the same to the respondents 2 and 3 to take further action. Since no action has been taken by the respondents 2 and 3, the petitioner has filed the present Writ Petition.

3.Considering the facts and circumstances of the case, we direct the respondents 2 and 3 to take necessary action for removal of the unauthorized construction made by the fourth respondent in the building in question, in accordance with law, after giving notice to the parties concerned. The said exercise shall be completed within twelve weeks from the date of receipt of a copy of this order.

4.With the above direction, the Writ Petition is disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]
06.03.2024
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NCC : Yes / No
Index : Yes / No
ps



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

ps

ORDER MADE IN
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