



W.P.(MD)No.23345 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.23345 of 2018

S.Dhavaseelan

: Petitioner

Vs.

1.The Commissioner,

Kumbakonam Municipality,

Kumbakonam,

Thanjavur District.

2.The Deputy Director,

Town and Country Planning,

Thanjavur District,

Thanjavur.

3.The Director,

Town and Country Planning,

Pt.lee Chengalvaraya Naicker Building,

Mount Road,

Chennai – 600 002.

4.The Commissioner,

Municipality Administration,

Chepauk,

Chennai – 600 005.



W.P.(MD)No.23345 of 2018

WEB COPY

5.The District Collector,
Thanjavur District,
Thanjavur.

6.S.S.Construction,
Rep. by its Proprietor,
Mr.Selvarajan,
S/o.Subramanian,
Having Office at No.4, Angubharathi Nagar,
Dindigul.

Branch Office at
No.1, LBS Road,
Royal Apartment,
Kumbakonam,
Thanjavur District.

7.Royal Apartment Owner's Association,
Rep. by its Secretary,
Dr.S.Bala Ganesh,
No.2B2, Royal Apartment,
Lal Bhagadur Sastri Road,
Kumbakonam,
Thanjavur District.

: Respondents

[R7 is impleaded vide order dated 27.03.2024]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents



W.P.(MD)No.23345 of 2018

to remove the illegal construction made by the sixth respondent in Town Survey numbers 699/B, 7000/B, 701/B, 702/B, 703/B, 704/B, 705/B, 722/2B, 1197/A and 1198/A1 of Block number 11 and 20, Ward No.6 of Kumbakonam Municipality [ie., sixteen flats at the northern side of the 'A' Block and the ground floor of all the block] and reject the revised plan approval request made by the sixth respondent.

For Petitioner : Mr.K.Balu

For Respondents 2 to 5 : Mr.S.P.Maharajan,
Special Government Pleader

For Respondent No.6 : Mr.S.I.Muthiah
for Mr.R.Varadharajan

For Respondent No.7 : Mr.B.Anandan

O R D E R

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

When the Writ Petition was taken up for hearing, learned Counsel for the sixth respondent submitted that the sixth respondent has already obtained the revised plan approval from the authorities and hence, this Writ Petition has become infructuous.

2.Recording the aforesaid submission of the learned Counsel for the sixth respondent, this Writ Petition is dismissed as infructuous. If the petitioner is aggrieved by the approval granted



W.P.(MD)No.23345 of 2018

for the revised plan, he is at liberty to challenge the same. There shall be no order as to costs.

WEB COPY

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

27.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



W.P.(MD)No.23345 of 2018

To

1.The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

2.The Deputy Director,
Town and Country Planning,
Thanjavur District,
Thanjavur.

3.The Director,
Town and Country Planning,
Pt.lee Chengalvaraya Naicker Building,
Mount Road,
Chennai – 600 002.

4.The Commissioner,
Municipality Administration,
Chepauk,
Chennai – 600 005.

5.The District Collector,
Thanjavur District,
Thanjavur.



WEB COPY



W.P.(MD)No.23345 of 2018

D.KRISHNAKUMAR, J.

and

R.VIJAYAKUMAR, J.

MR

ORDER MADE IN

W.P.(MD)No.23345 of 2018

27.03.2024