



W.P.(MD) No.25651 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2024

CORAM:

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

AND

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

W.P.(MD)No.25651 of 2022

and

W.M.P.(MD)No.19741 of 2022

A.Syed Mohamed

... Petitioner

-Vs-

1.The District Collector,
Tirunelveli, Tirunelveli District.

2.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

3.Tirunelveli Corporation,
Rep. by its Commissioner,
Tirunelveli Corporation, Tirunelveli.

4.The Assistant Commissioner,
Melapalayam Zone,
Tirunelveli Corporation, Tirunelveli.

5.M.A.S.Syed Ahamed

6.M.A.S.Ahamed MOhideen

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to take action on the petitioner's representation dated 14.09.2022 seeking to remove the illegal construction and stop the construction put up by the respondents 5 and 6 without obtaining the building plan approval from the respondents 3 and 4 in T.S.Block No.10, T.S.Ward AQ Ts.Nos.2, 3 Old Survey No.1384, 1385/3, Melapalayam Sappani Aalim Mela Street, Tirunelveli Corporation Ward No.35, Tirunelveli District.

For Petitioner : Mr.R.J.Karthick
For R1 to R4 : Mr.S.P.Maharajan,
Special Government Pleader
For R5 & R6 : Mr.H.Arumugam

ORDER

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

According to the petitioner, he made a representation dated 14.09.2022 to the respondents 3 and 4, seeking removal of the unauthorized construction put up by the respondents 5 and 6 without obtaining building plan approval from the respondents 3 and 4 in T.S.Block No.10, T.S.Ward AQ Ts.Nos.2, 3 Old Survey Nos.1384, 1385/3, Melapalayam Sappani Aalim Mela Street, Tirunelveli Corporation Ward No.35, Tirunelveli District. Since no action has been taken so far, he has filed this Writ Petition.



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2.The learned Special Government Pleader appearing for the respondents 1 to 4, on instructions submitted that notice has been served to the respondents 5 and 6 and necessary action would be taken by the respondent Corporation without any further delay.

3.Recording the aforesaid submission made by the learned Special Government Pleader for the respondents 1 to 4, this Writ Petition stands disposed of, directing the respondent Corporation to take necessary action for removal of the unauthorized construction put up by the respondents 5 and 6 on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
18.03.2024

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

Yuva

To

1.The District Collector,
Tirunelveli, Tirunelveli District.

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AND

R.VIJAYAKUMAR, J.

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- 2.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.
- 3.Tirunelveli Corporation,
Rep. by its Commissioner,
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- 4.The Assistant Commissioner,
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