



WP(MD). No.20826 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 26/02/2024

CORAM

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE G.ILANGO VAN

WP(MD). No.20826 of 2017
and WMP(MD) Nos.703 to 711 ad 795 to 801/2019

P.Prakash,,

... Petitioner

Vs

1. The District Collector,
Collectorate, Madurai..
2. The Municipal Commissioner,,
Municipal Office, Usilampatti - 625 532..
3. The Town Planning Officer /,
Inspector, Municipal Office,
Usilampatti - 625 532..
4. The Deputy Director,,
Town and Country Planning Department,
Madurai..
5. The District Fire Officer,,
Tamil Nadu Fire & Rescue Services,
Madurai..



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6. The Manger / Proprietor,,
M.A.K.T.Mahal, Peraiyur Road,
Usilampatti - 625 532..

7. The Manger / Proprietor,,
Anugraham Mahal, Peraiyur Road,
Usilampatti - 625 532..

8. The Manger / Proprietor,,
Master Meeting Hall, Peraiyur Road,
Usilampatti - 625 532..

9. The Manger / Proprietor,,
Upm Mahal, Peraiyur Road,
Usilampatti - 625 532..

10. The Manger / Proprietor,,
Divaya Mahal, T.B.Road,
Usilampatti - 625 532..

11. The Manger / Proprietor,,
Saraswathi Mahal, Theni Road,
Usilampatti - 625 532..

12. The Manger / Proprietor,,
Meeting Hall, Theni Road,
Usilampatti - 625 532..

13. The Manger / Proprietor,,
A.D.S.Mahal, Batlagundu Road,
Usilampatti - 625 532..

14. The Manger / Proprietor,,
Lakshmi Mahal, Batlagundu Road,
Usilampatti - 625 532..

15. The Manger / Proprietor,,
Vishali Mahal, Batlagundu Road, Usilampatti - 625 532..



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16. The Manager / Proprietor,,
A.P.R.Veera Mahal, Madurai Road,
Usilampatti - 625 532..

17. The Manger / Proprietor,,
V.K.G.Veera Mahal, Madurai Road,
Usilampatti - 625 532..

18. The Manger / Proprietor,,
V.L.R.Mahal, Madurai Road,
Usilampatti - 625 532..

19. The Manger / Proprietor,,
Meenakshi Mahal, Madurai Road,
Usilampatti - 625 532..

20. The Manger / Proprietor,,
Pranav Mahal, Theni Road,
Usilampatti - 625 532..

21. The Manger / Proprietor,,
J.B.R Mahal, Karukkattanpatti Road,
Usilampatti - 625 532..

22. The Manger / Proprietor,,
Ammaiyar Amman Arangam, Kallar Road,
Usilampatti - 625 532..

23. The Manger / Proprietor,,
Thevar Mahal, Santhaithidal Road,
Usilampatti - 625 532..

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 2nd respondent to demolish the unauthorized/Violated constructions of Mahals, Meeting



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Halls, Mandabams, etc., (Assembly buildings) which is situated in and around area of Usilampatti, Madurai Dist, by implementing G.O. (Ms).No.289 passed by the Housing & Urban Development (UD 4-1) Department dated 16.12.2010 with in a stipulated time to be fixed by this Court.

For Petitioner : M/s.J.Senthil Kumaraiah,

For Respondents :Mr.T.Amjad Khan
for R1, R4 and R5
Government Advocate
Mr.K.Mahendran for R2&R3
Mr.R.Thangasamy for R6, R11 to
R13, R20, R22
Mr.R.Ragavendran for R19
Mr.H.Lakshmi Shankar for
R8,R9,R14,R15 to R18
Mr.Niranjan S.Kumar for R10
Ms.J.Anandavalli for R7

ORDER

**[Order of the Court was made by
The Hon'ble The CHIEF JUSTICE]**

Heard the learned Advocate for the petitioner, learned Government Advocate and the learned Advocate for the respondents.



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2.The contention of the learned Advocate for the petitioner is that the respondents without any valid permission have constructed a Mahal. Actually the permission was granted for godown. It is submitted that without permission, the same is converted to commercial purpose.

3.The learned Advocates for the private respondents submit that twice the proposal was submitted for regularisation and the same is returned. Lastly the proposal is submitted on 20.10.2023 by the respondent No.6.

4.In case, the private respondents herein have given a proposal for regularisation, the authorities shall take a decision on its own merits and in accordance with law and policy, preferably, within six months. Depending upon the decision taken, the parties shall take immediate steps in the matter. In case, the application for regularisation is rejected, then the planning authority and/or the Municipality shall take immediate steps in that regard.



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5. With this observation, the writ petition is disposed of. However, there shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

[S.V.G., CJ.]

[G.I., J.]

26.02.2024

NCC : Yes/No
Index : Yes/No

RR

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and
G.ILANGOVAN, J.

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