



W.P.(MD)No.3935 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 15.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.3935 of 2020

T.S.Suryan

... Petitioner

-vs-

1. The District Collector,
Theni,
Theni District.

2. The Commissioner,
Bodinayakkanur Municipality,
Bodinayakkanur,
Theni District.

3. The President,
Thirumalapuram Nadar Uravinmurai Sangam,
Reg. No. 177/1998,
Bazaar Street,
Bodinayakkanur,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus directing the respondents to take appropriate action to close the Vinayakar Kovil Mandapam situated at Ward No. 18, Thirumalapuram Bazar Street, Bodinayakkanur which was constructed unauthorizedly without obtaining plan approval and in violation



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of Tamil Nadu Town and Country Planning Act, 1971 by encroaching the road and is posing danger to the public by considering the representation of the petitioner dated 29.10.2020.

For Petitioner : M/s.K.A.Thirumalaiappan

For R1 and R2 : Mr.P.Thilak Kumar
Government Pleader

For R3 : No Appearance

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The relief sought for in the writ petition is to direct the respondents to take appropriate action to close the Vinayakar Kovil Mandapam situated at Ward No. 18, Thirumalapuram Bazar Street, Bodinayakkanur which was constructed unauthorizedly without obtaining plan approval and in violation of Tamil Nadu Town and Country Planning Act, 1971 by encroaching the road and is posing danger to the public by considering the representation of the petitioner dated 29.10.2020.

2. The allegations set out in the writ petition is about unauthorized construction. The 2nd respondent / Commissioner is thus directed to conduct a field inspection, survey and identify the unauthorized construction if any



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and initiate all enforcement actions by following the procedures as contemplated under the Act and Rules in force. The said exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

3. With the above observations and directions, the writ petition stands disposed of. No costs.

(S.M.S., J.)

(S.S.Y., J.)

15.07.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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S.M.SUBRAMANIAM, J.

and

S.SRIMATHY, J.

rgm

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