



W.P.(MD)No.5039 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.02.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.5039 of 2025

R.Kannan

...Petitioner

-Vs-

1.The District Collector/Monitoring Committee,
Thanjavur District, Thanjavur.

2.The Regional Director,
Town and Country Planning,
Kumbakonam, Thanjavur District.

3.The Commissioner,
Kumbakonam Corporation,
Kumbakonam.

4.Satha Ram

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to demolish the construction of commercial, residential and other buildings structured by the fourth respondent herein in violation of G.O.Ms.No.22 issued by the Municipal Administration and Water Department dated 30.01.1997 by considering the petitioner's representation dated 01.10.2024 within a stipulated time that maybe fixed by this Court.



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For Petitioner	: Mr.B.Anandan
For R1 & R2	: Mr.P.Thilak Kumar Government Pleader
For R3	: Mr.Jameel Arasu Standing Counsel

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

Heard Mr.B.Anandan, learned counsel appearing for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for respondents 1 and 2 and Mr.Jameel Arasu, learned Standing Counsel takes notice for the third respondent. Considering the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with.

2.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner alleging that the fourth respondent herein has constructed a shop in the petition mentioned property violating the parameters stipulated in G.O.Ms.No.22, Municipal Administration and Water Department, dated 30.01.1997, has made a representation dated 01.10.2024 seeking to demolish the said building. Since the said representation was not considered so far, the petitioner has filed this writ petition.



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WEB COPY 4.The learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief in this writ petition, he would be satisfied if a direction is issued to the respondents 1 to 3 to consider and dispose of the representation of the petitioner dated 01.10.2024, in accordance with law, within a time frame.

5.Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is **disposed of** with a direction to the first respondent to consider the representation of the petitioner dated 01.10.2024 after giving an opportunity of hearing to the fourth respondent and pass appropriate orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
25.02.2025

Index : Yes/No
Internet : Yes/No
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