



W.P.(MD)No.4127 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.4127 of 2019

and

W.M.P(MD)No.3222 of 2019

Ravichandran

... Petitioner

Vs.

1. The District Collector,
Karur District.
2. The Commissioner,
Town Planning Officer, Karur District
3. The Joint Director,
Town and Country Planning, Karur District
4. The Revenue Divisional Officer
Karur District
5. The Tahsildar,
Karur District
6. The Assistant Engineer,
TANGEDCO, Karur District



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7. Mr.Sekar

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 6 to take appropriate action against the 7th respondent for construction commercial building illegally in T.S.No.457 / 2C, Ward.No.3, Block No.8 (Old No.T.S.No.314/2) situated at L.N.S village Karur without getting plan approval from the concern authorities based upon the representation dated 19/01/2019.

For Petitioner : Mrs.S.Prabha

For R1 to R4 : Mr.P.Thilak Kumar
Government Pleader

For R6 : Mr.S.Deenadhayalan

For R7 : No appearance

ORDER

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

The Writ of Mandamus has been instituted to direct the respondents 1 to 6 to take appropriate action against the 7th respondent for construction of commercial building illegally in T.S.No.457 / 2C, Ward.No.3, Block No.8 (Old No.T.S.No.314/2) situated at L.N.S village, Karur without getting plan approval from the concern authorities based upon the representation dated 19/01/2019.



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2. The fifth respondent Tahsildar, Karur has filed a counter affidavit and stated as follows:-

"5. I submit that the averments contained in para 6 and 7 of the affidavit are denied. The petitioner stated that the land disputed by him is under the control of the Karu Municipality and the third respondent is the competent authority for any violation in the building plan approval and other aspects. The petitioner sought information from the second respondent under RTI Act, the same was communicated and it was mentioned that the seventh respondent had not obtained any permission from concerned authorities; however, the second respondent already initiated action against the seventh respondent for his illegal construction by way of giving criminal complaint in STC.No.973/2018 and the same is pending before the Chief Judicial Magistrate Court-1, Karur."

3. The learned Government Pleader appearing for the officials respondents would submit that the unauthorised constructions are identified by the competent authorities.



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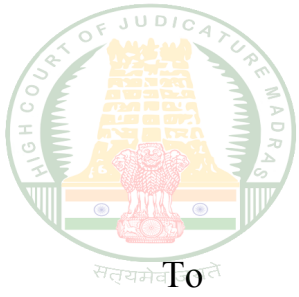
4. Thus, the fifth respondent Tahsildar is directed to initiate appropriate action to remove the unauthorised construction by following the procedure as contemplated under the relevant statutes and rules in force in co-ordination with the Commissioner of Karur Municipality. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025

NCC : Yes / No
Index : Yes / No

am



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