



W.A.(MD)No.1621 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A(MD)No.1621 of 2021

and

C.M.P(MD)No.7011 of 2021

Rajamurugan

... Appellant /
6th Respondent

Vs.

1.N.Nallathambi
2.V.S.Veerabagu
3.N.Senthil Kumar
4.A.Antonydoss
5.G.Swaminathan

... Respondents 1 to 5 /
Writ Petitioner 1 to 5

6.The District Collector,
Madurai District,
Madurai – 625 020.

7.The Assistant Director of Town Panchayats,
Madurai Collectorate,
Madurai – 625 020.

8.The Executive Officer,
Town Panchayat,
Paravai – 625 402,
Madurai District.



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9.S.Shanmugasundaram

10.M.Balan

... Respondents 6 to 10 /
Respondents 1 to 5

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Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed by this Court in W.P(MD)No.23138 of 2019 dated 26.04.2021 insofar as the findings rendered against the appellant herein / sixth respondent is concerned by allowing the present Writ Appeal.

For Appellant : Mr.A.Saravanan

For Respondents : Mr.N.Dilip Kumar
for R.1 to R.5

Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.6 to R.8

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The residents of Paravai filed W.P(MD)No.23138 of 2019 to direct the official respondents to take action to ensure that no non residential activity is carried on in their residential layout. The writ petition was allowed on 26.04.2021. The appellant herein was figured as the sixth respondent.



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3. Admittedly, the appellant purchased only residential plots vide sale deed dated 19.06.2019. It appears that without getting approval from the concerned planning authorities, he put up a godown.

4. Now before us the appellant has given a solemn undertaking that he will not use the residential plots for godown purpose. He further undertakes that only after getting approval from the concerned authorities he will put the plot to legally permitted use alone. As and when the appellant seeks permission from the concerned authority, the appellant is directed to mark a copy of his application to the first writ petitioner, namely, N.Nallathambi. The authority will also issue independent notice to N.Nallathambi and take into account his objections before passing final order on the application to be made by the appellant herein.

5. This Writ Appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [M.J.R., J.]
20.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN,J.

AND

M.JOTHIRAMAN, J.

MGA

To

- 1.The District Collector,
Madurai District,
Madurai – 625 020.
- 2.The Assistant Director of Town Panchayats,
Madurai Collectorate,
Madurai – 625 020.
- 3.The Executive Officer,
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