



W.P.(MD).No.19010 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.19010 of 2025 and
W.M.P(MD) No.14558 of 2025

Ramar

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi,
Thoothukudi District.
- 2.The Tahsildar,
Eral Taluk,
Thoothukudi District.
- 3.The Block Development Officer,
Alwarthirunagar Union,
Eral Taluk,
Thoothukudi District.
- 4.The Executive Officer,
Angamangalam Panchayat,
Eral Taluk,
Thoothukudi District.
- 5.The Surveyor Cum Inspector,
Eral Taluk,
Thoothukudi District.
- 6.The Superintending Engineer,
TANGEDCO,
Eral Taluk,
Thoothukudi District.



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7.Paramasivam,
S/o. Murugappa Konar,
No.215 South Street,
Gurumbur Post,
Eral Taluk,
Thoothukudi District.

8.Seethalakshmi,
W/o.Paramasivam,
No.215, South Street,
Gurumbur Post, Eral Taluk,
Thoothukudi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.2 to 4 to cancel the approval issued to the 7th and 8th respondents for the building constructed in S.No.240/139 and in Patta No.733 situated at Angamangalam Village, Eral Taluk, Thoothukudi District.

For Petitioner	: Mr. A.Rajini
For R1, R2 and R5	: Mr.K.R.Badurus Zaman Government Advocate
For R3 and R4	: Mr.S.Shaji Bino Special Government Pleader
For R6	: Mr.S.Deenadhayalan Standing Counsel



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ORDER

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This Writ Petition is disposed of at the time of admission after dispensing the notice on the private respondent Nos.7 and 8 and after hearing the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent Nos.1, 2 and 5 and the learned Special Government Pleader appearing for the respondent Nos.3 and 4 and the learned Standing Counsel for the respondent No.6.

2. The petitioner claims to be a patta holder. The petitioner is before this Court seeking a Mandamus to direct the respondent Nos.2 to 4 to cancel the approval issued to the respondent Nos.7 and 8 for the building constructed in Survey No.240/139 and in respect of which, the patta has been issued to the petitioner in patta No.733 situated at Angamangalam Village, Eral Taluk, Thoothukudi District.

3. The learned counsel for the official respondents No.3 and 4 would submit that the private respondent No.7 has applied for a online permission for construction of building on 17.12.2024 under Rule VI of the Tamil Nadu Combined Development and Building Rules, 2018, in respect of the land in

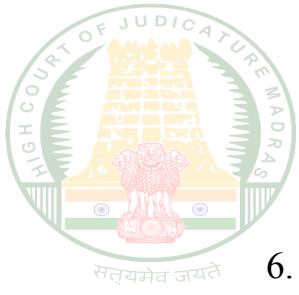


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Survey No.204/152. Further, based on the above online approval that was granted on 17.12.2024, the respondent No.7 has also completed the substantial portion of construction.

4. It is submitted that the case of the petitioner appears to be that using the aforesaid online approval the land in survey No.204/152, the respondent No.7 may have put up construction in the patta land of the petitioner in survey No.240/139.

5. Having considered the submissions made by the learned counsel for the petitioner and the learned counsel for the respondent Nos.3 and 4 and the learned counsel for the respondent Nos.1, 2, 5 and also 6, I am inclined to direct the respondent Nos.3 and 4 to make a spot inspection of the properties in Survey Nos.240/139 and 204/152 in the presence of the respondent No.5 Surveyor. Needless to state, the survey shall be carried out in presence of the petitioner as well as the private respondents to ascertain whether the building that has been put up by the private respondents is on the patta land of the petitioner or not.



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6. In case, the respondent Nos.3 and 4 have come to a conclusion that there has been a violation in the online approval that has been granted on 17.12.2024 in response to the application filed by the respondent No.7 on 17.12.2024, they may initiate appropriate proceedings against the respondent No.7 in accordance with the condition No.6 of the said approval.

7. It is also open for the petitioner to appropriate take steps for removing the above construction in the manner known to law. The initial exercise of spot inspection shall be completed within a period of ten days from the date of receipt of a copy of this order.

8. With the above directions and liberty, this Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

14.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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C.SARAVANAN, J.

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