



W.P.(MD).No.22047 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.22047 of 2018

Latha
Petitioner

...

-VS-

- 1.The Commissioner,
Municipal Administration and Water Supply Department,
Ezhillagam, 6th Floor,
Annex Building, P.W.D. Estate,
Chepauk, Triplicane,
Chennai-600 005.
- 2.The District Collector,
Sivagangai,
Sivagangai District.
- 3.The Commissioner,
Devakottai Municipality,
Devakottai,
Sivagangai District.
- 4.The Tahsildhar,
Devakottai Taluk Office,
Devakottai, Sivagangai District.



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5.The Inspector of Police,
Town Police Station,
Devakottai,
Sivagangai District.

6.The Assistant Elementary Educational Officer,
Devakottai,
Sivagangai District.

7.Shanthi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 5 herein to take appropriate action against the 7th respondent herein for removing the illegal unauthorized construction of the 7th respondent building by encroaching the public road as well as common pathway made in Survey Ward C, Block No.14, Old Town Survey No.28, 10th Ward Me.Aru. Street, Devakottai Municipal Town, Iravuseri Group, Devakottai Taluk, Sivagangai District by considering the petitioner's representation dated 15.04.2018 within a stipulated time as that may be fixed by this Court.

For Petitioner : Mr.A.Saravanan

For R-1, R-2, R-4 : Mr.M.Sarangan
& R-6 Additional Government Pleader

For R-3 : Mr.J.Anand Kumar

For R-5 : Mr.A.Albert James



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Government Advocate (Crl. Side)

For R-7 : Mr.R.Sundar Srinivasan

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Counsel for the petitioner states that entire house constructed by the respondent No.7 is unauthorized and therefore, has to be demolished by respondents 1 to 6.

2. Looking at the house, anybody can guess it would have taken at least a year to complete the construction. Therefore, the petition is hit by laches.

3. At this stage, we have to note that Shri.R.Sundar Srinivasan, Counsel appearing for respondent No.7 states that all approvals are in place. It is also evident from the counter affidavit filed by the respondent No.3 and affirmed on 28th October, 2019. Petitioner has been served with counter affidavit in 2019 itself and there is no rejoinder filed denying the contents.

4. In view thereof, Writ Petition is dismissed. There shall be no order



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[K.R.SHRIRAM., C.J.]

[V.LAKSHMINARAYANAN, J.]

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NCC : Yes / No
Index : Yes / No
Lm

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