

# Collector told to form panel to inspect mall

Direction based on PIL seeking temporary closure of mall alleging public nuisance

**EXPRESS NEWS SERVICE**

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THE Madurai Bench of the Madras High Court on Monday ordered Madurai collector to form a committee to inspect and report if there is any public nuisance in and around a private shopping mall situated near MGR Bus stand in Madurai, and to ensure that the public nuisance, if any, is rectified.

Justice K Murali Shankar gave the direction while disposing of a petition filed by an advocate, Henri Tiphagne, seeking temporary closure of the mall, which was inaugurated in December last year, alleging public nuisance and infrastructure violations.

The judge directed the district collector (in his capacity as the district magistrate) to form a committee consisting of officials from government departments connected with the issue. The committee should inspect the building and the surrounding area and see if the public nuisance mentioned in the petition persists, he added.

If the committee's report indicates that the public nuisance continues, the collector should direct the mall proprietor to rectify the defects within a specific time frame, the judge said, adding that in case of failure to comply, the collector should take appropriate action in accordance with law.

The shopping mall was inaugurated on December 5 last year. Shortly after that, Tiphagne filed the petition al-



leging that the mall was opened to the public before the construction works were completed and that it lacked emergency exits. He also alleged that the mall's construction has affected the nearby water channel and that a large amount of sand was dumped in the channel. However, the counsel who represented the mall denied the allegations and sought dismissal of the petition on various grounds, including maintainability. But the judge held that the petition was maintainable and passed the above order. Earlier, there was a fire in the shopping mall on March 1, but there were no casualties.



*If the committee's report indicates that the public nuisance continues, the collector should direct the mall proprietor to rectify the defects within a specific time frame. Collector must take action otherwise*

Justice K Murali Shankar

## **Tiphagne's petition & mall counsel's reply**

"The mall was opened to the public before completion of construction works. It lacked emergency exits, and it has affected nearby water channel after large amount of sand was dumped in it," he said. The counsel who represented the mall denied the allegations and sought dismissal of the petition on various ground such as maintainability