

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2015

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.24953 of 2015
and M.P.No.1 of 2015

S.Veeramuthu

... Petitioner

vs.

1.The Commissioner of Corporation
Coimbatore Corporation,
Coimbatore.

2.The Member Secretary
Coimbatore Local Planning Authority,
Coimbatore.

3.Smt.R.Premalatha

... Respondents

Prayer:- Writ petition filed under Article 226 of the constitution of India praying for a writ of Mandamus directing the respondents and more particularly the 1st respondent to consider the representations dated 04.06.2015 and 15.06.2015 made by him and also the representation dated 08.01.2015 made by the petitioner which was duly forwarded to the 1st respondent by the 2nd respondent vide is letter dated 06.03.2015 in accordance with law and thereby ensuring the compliance of all applicable provisions of law and also ensuring the ongoing constructions being in compliance of the approvals vide B.A.No.477/2014/MH2/E and B.L.No.451/2014/MH2/E issued by the 1st respondent by taking appropriate actions in accordance with law in respect of the illegal constructions thereof within a time limit.

For Petitioner

: Mr.T.Sundaranathan

For Respondents

: Mr.K.Natarajan for R1
Mr.V.Jayaprakash Narayanan
Special Govt. Pleader for R2

ORDER

The petitioner is residing at No.No.1/1, Balasubramaniam Nagar, Peelamedu, Coimbatore and a new construction is being put up by third respondent. However, the said third respondent is making construction in deviation of the approved plan granted by the first

and second respondent. The petitioner in his representation to the respondent dated 08.01.2015, 13.01.2015 and 19.01.2015 made certain allegations regarding violation of the approved plan. The second respondent forwarded the representations of the petitioner to the first respondent by his communication dated 06.03.2015 and so far no action has been taken by the first respondent and hence the petitioner is before this court by way of this writ petition.

2. Heard Mr.T.Sundaranathan, learned counsel appearing for the petitioner, Mr.K.Natarajan, learned counsel appearing for the first respondent and Mr.V.Jayaprakash Narayanan, Special Govt. Pleader appearing for the second respondent. Notice to the third respondent is dispensed with as this court is going to direct the authorities to pass orders after the third respondent only.

3. Since the petitioner alleges violation by the third respondent in making construction in her property, the first respondent is directed to pass appropriate orders based on the petitioner's representation which has been forwarded by the second respondent on 06.03.2015 after issuing notice both to the petitioner as well as the third respondent and pass appropriate orders within twelve weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of with above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

rgr
To

1.The Commissioner of Corporation
Coimbatore Corporation,
Coimbatore.

2.The Member Secretary
Coimbatore Local Planning Authority,
Coimbatore.

+1 cc to Mr.K.Natarajan, Advocate, sr.42527
+1 cc to The Government Pleader, sr.42603

W.P.No.24953 of 2015

ggk(co), kra(2/9)