

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23/9/2015

C O R A M

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P. No.29904 of 2015

1. M.Keshavan
2. S. Kishore

...Petitioners

Vs

1. The Director of Town and Country Planning
Office of the Town and Country Planning
807 Anna Salai
Chennai.
2. The Member Secretary
Coimbatore Local Planning Authority
Corporation Commercial Complex
Sivananda Colony
Coimbatore 12.
3. The Commissioner
Coimbatore Corporation.
4. The Town Planning Officer
Office of the Town and Country Planning
Coimbatore.
5. The Assistant Commissioner-cum-
Assistant Town Planning Officer
Coimbatore Corporation
West Zone
Coimbatore 12.

6. M/s. Meridian Condominious India Pvt Ltd
rep. By its Director R.Aadarsh
No.444 D, Cross Cut Road
Gandhipuram
Coimbatore 641 012.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the fifth respondent to initiate action against the illegal and unauthorised construction put up by the sixth respondent in S.F.No.402/Part and S.F.No.402/1 part situated at D.No.46 Karuppusamy Street, Sanganoor Village, K.K.Pudur, Saibaba Colony, Coimbatore 641 038 in accordance with the direction issued by the second respondent through Communication bearing Na.Ka.No.3237/2015 UTK-1 dated 27/7/2015 within the time that may be fixed by this Court.

For petitioner : Mr.R.Nandhakumar

For respondents : Mrs.A.Srijayanthi,
Special Government Pleader
for R.R.1, 2 and 4.

Mr.J.Sathyanarayana Prasad
for R.R.3 and 5.

O R D E R

(Delivered by SATISH K. AGNIHOTRI, J.)

Mrs.A.Srijayanthi, learned Special Government Pleader, accepts notice for the respondents 1, 2 and 4. Mr.J.Sathyanarayana Prasad, learned counsel, accepts notice for the third and fourth respondents. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed praying to direct the fifth respondent to initiate action against the illegal and unauthorised construction put up by the sixth respondent in S.F.No.402/Part and S.F.No.402/1 part situated at D.No.46 Karuppusamy Street, Sanganoor Village, K.K.Pudur, Saibaba Colony, Coimbatore 641 038, in accordance with the direction issued by the second respondent through Communication bearing Na.Ka.No.3237/2015 UTK-1 dated 27/7/2015.

3. The learned counsel appearing for the petitioner submits that the petitioner has made a complaint to the respondents on 11 June, 2015, pointing out certain irregularities committed by the sixth respondent. Pursuant to his complaint, the second respondent had sent a communication dated 27 July, 2015, to the fifth respondent, to take consequential action. The fifth respondent has not proceeded thereafter and the alleged illegalities done by the sixth respondent still continue.

4. The learned counsel appearing for the third and fifth respondents submits that necessary action shall be taken on merits within a period of four weeks.

5. Without going into the merits of the case, the third and fifth respondents are directed to inspect the site in question and after giving proper opportunity of hearing to the sixth respondent, take consequential action, within a period of four weeks from the date of receipt of a copy of this order. If, on inspection, it is found that the construction is illegal, the authorities would take necessary steps to stop the construction forthwith and take further consequential action.

6 With the aforestated direction, the writ petition stands disposed of. No costs. Connected Miscellaneous Petition is closed.

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

mvs.

To

1.The Director of Town and Country planning
Office of the town and country planning 807 Anna salai,
Chennai.

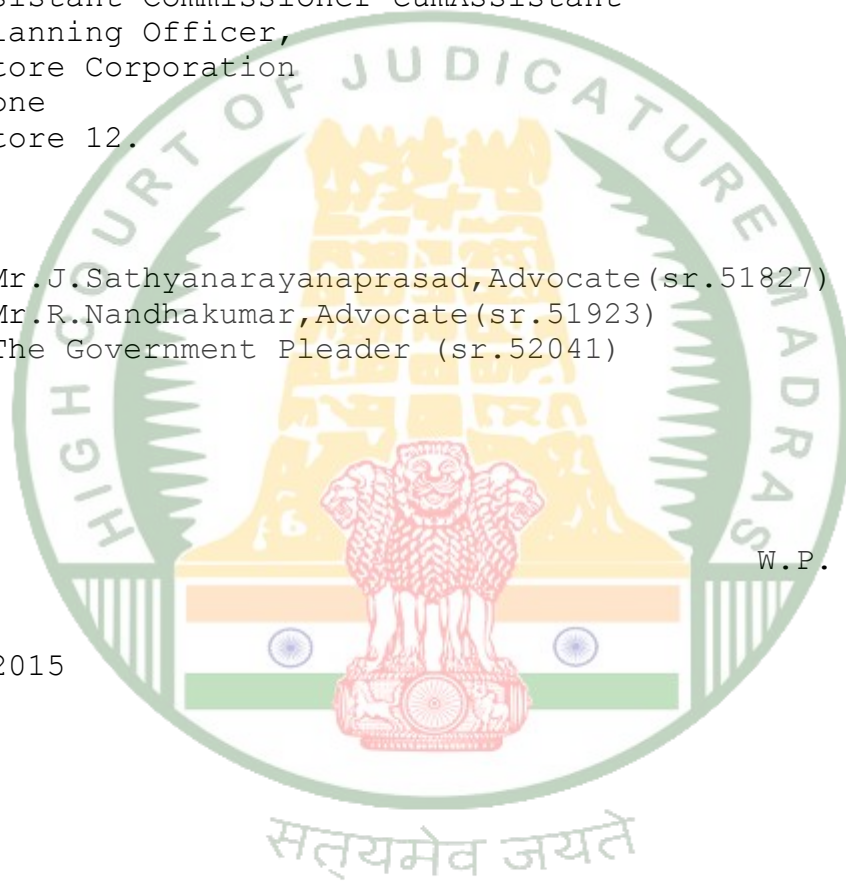
2. The Member Secretary,
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5. The Assistant Commissioner-cumAssistant
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+1 cc to Mr.J.Sathyanarayanaprasad,Advocate(sr.51827)
+1 cc to Mr.R.Nandhakumar,Advocate(sr.51923)
+1 cc to The Government Pleader (sr.52041)

jsv(co)
cp 01/10/2015

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