

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.P.No.6811 of 2015

and

M.P.No.1 of 2015

P.Sengodu

... Petitioner

Vs.

1.The District Collector,
Erode District,
Erode - 638 011.

2.The Commissioner,
Erode Corporation,
Erode - 638 001.

3.The Member Secretary,
Local Planning Authority,
TNHB Commercial Complex,
Surampatti Naal Road,
Erode - 638 009, Erode District.

4.K.P.Subbaian

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing respondents 1 to 3 to initiate necessary action against the fourth respondent for proceeding with the unauthorised construction, without any planning permission in T.S.Nos.1624 and 1628, presently T.S.No.188 bearing New D.No.204, Brough Road, Erode - 1 by considering the petitioner's representation dated 23.01.2015 under the provisions of the Tamil Nadu Town and Country Planning Act, 1971 and the other municipal laws time being in force.

For Petitioner

.. Mr.R.Prabakar

For Respondents

.. Mr.P.S.Sivashanmughasundaram,
Spl. Govt. Pleader for R1 & R3
Mr.P.Srinivas for R2
Mr.K.S.Jayaganeshan for R4

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

The only limited prayer sought for in this writ petition is a direction to respondents 1 to 3 to consider the representation of the petitioner dated 23.01.2015 in respect of the construction in T.S.Nos.1624 and 1628, presently T.S.No.188 bearing New D.No.204, Brough Road, Erode - 1.

2.The learned counsel for the second respondent, on the basis of the instructions received from the officials, submits that there is a dispute between the petitioner and the fourth respondent with regard to tenancy. As per the instructions, the construction is duly approved. Be that as it may, since the writ petition is only for a direction to dispose of the representation, we direct the second respondent to examine the representation and after affording proper opportunity of hearing to all the concerned parties, take proper decision and take necessary and proper action within a period of four weeks from the date of receipt of a copy of this order.

3.The writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mmi

To

1.The District Collector,
Erode District,
Erode - 638 011.

WEB COPY

2.The Commissioner,
Erode Corporation,
Erode - 638 001.

3.The Member Secretary,
Local Planning Authority,
TNHB Commercial Complex,
Surampatti Naal Road,
Erode - 638 009, Erode District.

1 cc to Mr.N.Monokaran ,Advocate, SR.No.20096
1 cc to Mr.P.Srinivas ,Advocate, SR.No.19936
1 cc to Mr.K.S.Jayaganeshan ,Advocate, SR.No.19914

W.P.No.6811 of 2015

SSI (CO)
PMK.21.4.2015



WEB COPY