

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.5824 of 2014

and

M.P.Nos.1 and 2 of 2014

N.Ganesan ... Petitioner

-vs-

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Deputy Director,
Town & Country Planning,
Coimbatore Region,
Coimbatore.

3.N.Lucca, Center Pastor,
No.5, Pentecostal Mission,
No.134, Union Road,
Goundampalayam,
Coimbatore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records pertaining to the Proceedings of the District Collector i.e. the 1st respondent in Ni.Mu.27978/2012/E2, dated 16.10.2013 and quash the same and consequently direct the 1st and 2nd respondents to initiate further action in pursuance of the lock and seal and demolition notice in Letter No.3823/2012/CR-4, dated 17.01.2013 and demolish the illegally and unauthorisedly constructed church in Survey No.196/2A, 197/1, 197/3, 198, 300/1C and 300/2 of Kinathukadavu village.

For Petitioner : Mr.G.Karthikeyan

For Respondents : Mr.V.R.Kamalanathan
Addl. G.P. for R1 & R2

Mr.K.Premkumar for R3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

It is sad to state that filing of the present writ petition only prompted the respondent authorities and private respondent No.3 to settle the issue of unauthorised construction by payment of regularisation charges of Rs.32,21,640/- in January, 2016.

2. The learned counsel for the petitioner however states that formalities are still not complete, as the approval has not been granted till date and the said payment is only for past regularisation charges.

3. The respondent authorities to examine this issue and take action in accordance with law, after notice to all concerned within a maximum period of three months of the receipt of this order. Needless to say, if there is any unauthorised construction which is not capable of being regularised, then that shall be removed by respondent No.3, failing which, by the respondent authorities.

4. The learned counsel for the petitioner seeks to draw our attention to page 35 of the typed set of papers to show how the funds are sought from foreign donors. We can only express our anguish at the manner in which the funds are generated by misrepresentation of the position of the ground reality in our country.

5. The writ petition is disposed of in terms aforesaid. No costs. Consequently, M.P.Nos.1 and 2 of 2014 are closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VII)

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Sub Assistant Registrar

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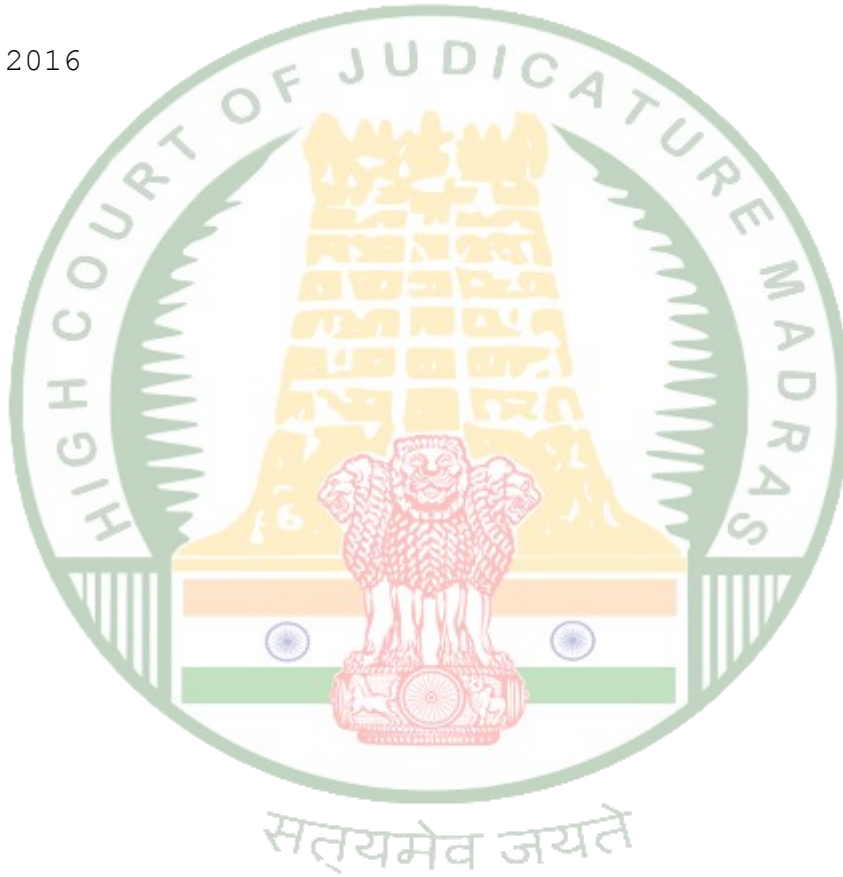
1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Deputy Director,
Town & Country Planning,
Coimbatore Region,
Coimbatore.

1 cc to Mr.K.Premkumar, Advocate, sr.37886
1 cc to M/s.G.Karthikeyan, Advocate, sr.37941
3 ccs to Government Pleader, sr.37972

W.P.No.5824 of 2014

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