

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.3.2017

CORAM

THE HONOURABLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7207 of 2017

Harini Arcade Housing Welfare Association
Rep. by its Secretary Pattabirama Guptha
2/265 A-1 Harini Arcade
Vadavalli Post
Coimbatore-641 041.

... Petitioner

Versus

1. The Director of Town and
Country Planning Department
No.807 Anna Salai
Chengalvarayan Towers
Chennai-600 002.
2. The District Collector
Coimbatore District at Coimbatore.
3. The Member Secretary
Town and Country Planning
Coimbatore

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus Directing the 1st and 3rd respondents to consider the representation dated 28.12.2016 as forwarded by the first respondent to the third respondent vide its proceedings in Na.Ka.No.15747/2015/LA2 dated 25.1.2017 relating to unauthorized and deviated construction apart from violation of the Planning Permission on merits and as per law within a time to be stipulated by this Honourable Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader

ORDER

(Order of the court was made by HULUVADI G.RAMESH, ACJ.)

Heard the learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents.

2. The writ petition has been filed seeking issuance of a writ of mandamus Directing the 1st and 3rd respondents to consider the representation dated 28.12.2016 as forwarded by the first respondent to the third respondent vide its proceedings in Na.Ka.No.15747/2015/LA2 dated 25.1.2017 relating to unauthorized and deviated construction apart from violation of the Planning Permission on merits and as per law within a time to be stipulated by this Honourable Court.

3. According to the petitioner, a registered welfare association, for the residents of Harini Arcade containing 190 housing plots, there were some violations in putting up construction in plot Nos.149 and 150 and hence, they had sent several representations to the respondent-authorities, including the latest one being dated 28.12.2016, and thereby the first respondent, vide his proceedings dated 12.1.2017, directed the third respondent to initiate appropriate action in relation to the illegal construction and encroachment, but, till date no action has been taken by the third respondent and hence, the present writ petition has been filed.

4. Considering the facts and circumstances of the case, the petitioner is directed to submit one more representation to the second and the third respondent, within a period of one week from the date of receipt of a copy of this order and in turn, the respondents, shall look into the matter to do the needful in accordance with law, within a period of three months thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssk

To:

1. The Director of Town and
Country Planning Department
No.807 Anna Salai
Chengalvarayan Towers
Chennai-600 002.

2. The District Collector
Coimbatore District at Coimbatore.

3. The Member Secretary
Town and Country Planning
Coimbatore.

+lcc to Mr.L.Chandrakumar, Advocate, S.R.No.18582

+lcc to the Government Pleader, S.R.No.18831

W.P.No.7207 of 2017

VG II(CO)
CA(13/04/2017)



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