

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.4762 of 2017

Covai Awareness Association (Reg. No.5/2017)
Rep. by its President, Bharath Gupta
1-2, Subramaniyapuram, Street No.2
Coimbatore-641 002.

.. Petitioner

Vs

1. The State of Tamil Nadu
Rep. by Secretary to Government
Housing and Urban Development Department
Fort St. George, Chennai-9.

2. The Commissioner
Coimbatore Corporation
Coimbatore-641 001.

3. The Member-Secretary
Coimbatore Local Planning Authority
Corporation Commercial Complex
Sivanantha Colony, Coimbatore-641 012.

4. Ramesh Veeramuthu

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 6.2.2017 take appropriate action to demolish remove the unauthorized and illegal construction put up by the 4th respondent on an unapproved plot of land comprised in Survey No.5/1, Upplipalayam Village, Singanallur, Coimbatore measuring 2350 sq.ft. which plot of land with building now bearing Door No.1, Balasubramaniam Nagar, Peelamedu, Coimbatore-4 within a stipulated time.

For Petitioner : Mr.B.Harikrishnan

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader
for 1st respondent

Mr.S.Saravanan
for 2nd respondent

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.T.N.Rajagopalan, Special Government Pleader takes notice for the first respondent and Mr.S.Saravanan, learned counsel takes notice for the second respondent.

2. The petitioner has filed this writ petition seeking issuance of a writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 6.2.2017 and take appropriate action to demolish remove the unauthorized and illegal construction put up by the 4th respondent on an unapproved plot of land comprised in Survey No.5/1, Upplipalayam Village, Singanallur, Coimbatore measuring 2350 sq.ft. which plot of land with building now bearing Door No.1, Balasubramaniam Nagar, Peelamedu, Coimbatore-4 within a stipulated time.

3. It is the case of the petitioner that the fourth respondent is putting up unauthorized construction without any sanction and the information obtained under the Right to Information Act is also to the same effect. The petitioner sent a representation to the second respondent on 6.2.2017 to take action to demolish the unauthorized construction. As the said representation did not receive any response from the respondent/authorities, the present writ petition is filed.

4. The learned counsel for the second respondent states that the representation of the petitioner shall be considered and appropriate action will be taken in accordance with law.

5. In view of the above submission made by the learned counsel for the second respondent, this writ petition is disposed of directing the second respondent to consider the representation of the petitioner dated 6.2.2017 and pass appropriate orders in accordance with law within two months from

the date of receipt of a copy of this order. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The Secretary to Government
State of Tamil Nadu
Housing and Urban Development Department
Fort St. George, Chennai-9.
2. The Commissioner
Coimbatore Corporation
Coimbatore-641 001.
3. The Member-Secretary
Coimbatore Local Planning Authority
Corporation Commercial Complex
Sivanantha Colony, Coimbatore-641 012.

+1 cc to Government Pleader sr 12572

+1 cc to M/s.S.Saravanan Advocate sr 11979

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