

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.05.2018

CORAM

THE HONOURABLE MR.JUSTICE S.BASKARAN
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.13221 of 2018
& WMP.No.15576 of 2018

1. M.Rahamathulla
2. M.Ratheesth Ali ... Petitioners

Versus

1. The Director,
Town & Country Planning,
4th Floor, No.807, Anna Salai,
Chengalvarayan Building,
Chennai - 600 002.

2. The District Collector,
Office of District Collectorate,
Erode District, Erode.

3. The Assistant Director,
Town Panchayats,
District Collector Office,
Erode.

4. The Executive Officer,
Town Panchayats,
Nambiyur Post & Taluk,
Erode District.

5. Angulakshmi ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondents 1 to 4 to take action against the 5th respondent for constructing without obtaining planning permission U/s.49 of the Tamil Nadu Town & Country Planning Act, 1971 for commercial building at Door No.73, Konnamadai Main Road, Nambiyur Post & Taluk, Erode District, based on the representation dated 17.04.2018.

For Petitioners : Mr.D.Veerasekaran

For Respondents : Mr.I.Sathish, AGP (RR1 to 4)

O R D E R

(Order of the Court was made by RMT.TEEKAA RAMAN, J.,)

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to take action against the 5th respondent for constructing without obtaining planning permission U/s.49 of the Tamil Nadu Town & Country Planning Act, 1971 for commercial building at Door No.73, Konnamadai Main Road, Nambiyur Post & Taluk, Erode District, based on the representation dated 17.04.2018.

2. Heard both sides and perused the materials available on record.

3. The case of the petitioner is that 5th respondent is illegally constructing the building in question without any planning permission and hence he made a representation dated 17.04.2018 to the official respondents. As no action was taken, the present writ petition has been filed.

4. Without going into the merits of the averments made in the writ petition, we are inclined to direct the respondents 1 to 4 to dispose of the said representation. Accordingly, the respondents 1 to 4 are directed to consider the said representation of the petitioner dated 17.04.2018, and pass appropriate orders on merits and in accordance with law, and dispose of the representation after hearing the petitioner, 5th respondent and others concerned, if any, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P. is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pvs / cs

To

1. The Director,
Town & Country Planning,
4th Floor, No.807, Anna Salai,
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Chennai - 600 002.
2. The District Collector,
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Erode District, Erode.
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4. The Executive Officer,
Town Panchayats,
Nambiyur Post & Taluk,
Erode District.

+lcc to the Government Pleader Sr.34661

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srg 07/06/2018



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