

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 11341 of 2020
and
W.M.P.Nos. 13828 and 13830 of 2020

S.M.Govindasamy ... Petitioner

Vs.

- 1.The District Collector,
Erode District, Erode - 638001.
- 2.The Commissioner,
Corporation of Erode,
Erode - 638001.
- 3.The Member Secretary,
Chithode New Town Development Authority,
Opposite to Government I.T.I.,
Chennimalai Road, Erode - 638 009.
- 4.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
Plot No.815, SIDCO Industrial Estate,
Chennimalai Road, Erode - 638 009.
- 5.The Assistant Engineer,
O&M/East/Chithode
Erode Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Nattupalayam Road, Chithode,
Erode District - 638 102.

6.Chinnusami

7.Thamaraiselvan

8.M.Shanmugasundaram

... Respondents

Petition under Article 226 of the Constitution of India
praying for a writ of mandamus directing respondents 1 to 3 to

remove the illegal and unauthorized construction erected by the 6th and 7th respondents on the lands classified as Agricultural use situated at Survey No.432 in Suriyampalayam "B" village, Sottaiyampalayam, Ward No.4, Erode and stop the functioning of power looms running by them without any permission at that place, within a stipulated time.

For Petitioner .. Mr.A.Suresh Sakthi Murugan

For Respondents .. Ms.RJ.Radhika,
Government Advocate for R1
Mr.M.Rajamathivanan for R2

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition seeking a direction to respondents 1 to 3 to take appropriate action on the unauthorized construction made by respondents 6 to 8.

2.Heard the learned counsel appearing for the parties.

3.Learned counsel appearing for the second respondent submitted that as against the eighth respondent, notice under Sections 296(1) and (2) of the Erode City Municipal Corporation Act, 2008 (Tamilnadu Act 8 of 2008) has already been issued.

4.As action has already been taken, we do not propose to keep the writ petition pending any longer. However, we direct the second respondent to take the aforesaid action initiated to the logical conclusion. The aforesaid exercise will have to be concluded within a period of eight weeks from the date of receipt of a copy of this order. The second respondent shall also hear the petitioner as action is initiated only at his instance.

5.The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The District Collector,
Erode District,
Erode - 638001.

2.The Commissioner,
Corporation of Erode,
Erode - 638001.

3.The Member Secretary,
Chithode New Town Development Authority,
Opposite to Government I.T.I.,
Chennimalai Road,
Erode - 638 009.

4.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
Plot No.815, SIDCO Industrial Estate,
Chennimalai Road,
Erode - 638 009.

5.The Assistant Engineer,
O&M/East/Chithode
Erode Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Nattupalayam Road, Chithode,
Erode District - 638 102.

+1cc to Mr.M.Rajamathivanan, Advocate, S.R.No. 30923

KS (CO)
GN(19/11/2020)

W.P.No. 11341 of 2020

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