

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

W.P.No.20047 of 2020

A.Govindaraj

.. Petitioner

Versus

1. The Director,
Town and Country Planning,
First Floor, Corporate Shopping Complex,
Raju Naidu St.Sivananda Colony,
Coimbatore 641 012.
2. The Commissioner,
Coimbatore City Corporation,
Corporation Office,
Coimbatore 641 001.
3. The Deputy Director
Town and Country Planning Authority,
1st Floor, Corporate Shopping Complex,
Sivanandha Colony,
Coimbatore 641 012.

4.M.Mani

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to consider the representations of the petitioner herein dated 04.08.2020 within a stipulated time to be fixed by this Court.

For Petitioner : Mr.T.K.Saravanan

For RR1 & 3 : Mr.S.Kamalesh Kannan
Government Advocate

For RR2 : Mr.Saravanan
Standing Counsel

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The petitioner is a resident of Door No.2/259, near City Union Bank, Pannimadai, Coimbatore 641 017, came forward to file this Writ Petition, alleging that the 4th respondent, who is the owner of the adjacent lands comprised in S.F.No.296 & 297 of Thondamuthru Main Road, Lolly Road Post, Coimbatore 641 003, has put up unauthorised constructions and the representation dated 04.08.2020, submitted in this regard, though received and acknowledged, had failed to invoke any kind of response and therefore, he is constrained to approach this Court by filing this Writ Petition.

2. Mr.S.Kamalesh Kannan, learned Government Advocate accepts notice on behalf of the respondents 1 and 3 and Mr.Saravanan, learned Standing Counsel accepts notice on behalf of the 2nd respondent and would submit that inspection of the premises of the petitioner as well as the 4th respondent would be caused, by putting them on notice and if the result of the inspection reveals any infraction / violation, necessary steps would be taken in accordance with law.

3. This Court has considered the rival submissions and also perused the materials placed before it.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, either in his representation or in this Writ Petition, directs the jurisdictional officials of Coimbatore City Municipal Corporation, in coordination with the office of the 3rd respondent to cause inspection of the premises of the petitioner in S.F.Nos.199/1 and 201 as well as alleged on-going construction being put up by the 4th respondent in S.F.No.296 and 297 of Thondamuthur road, Lolly Road post, Coimbatore 641 003, by putting the petitioner as well as the 4th respondent on prior notice and if the result of the inspection reveals any infraction / violation of the Sanctioned Plan / rules / regulations, shall take immediate, necessary and appropriate action in accordance with law, by also adhering to the principles of natural justice and complete the said exercise within a period of eight weeks from the date of receipt of a copy of this order / uploading of the order in the website and communicate the decision taken, to the petitioner as well as to the 4th respondent.

5. The Writ Petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Director,
Town and Country Planning,
First Floor, Corporate Shopping Complex,
Raju Naidu St.Sivananda Colony,
Coimbatore 641 012.

2.The Commissioner,
Coimbatore City Corporation,
Corporation Office,
Coimbatore 641 001.

3.The Deputy Director
Town and Country Planning Authority,
1st Floor, Corporate Shopping Complex,
Sivanandha Colony,
Coimbatore 641 012.

+1 cc to M/s.Saravanan, Advocate Sr.No. 11152

+1 cc to M/s.T.K.Saravanan, Advocate Sr.No. 11340

W.P.No.20047 of 2020

SKY (CO)
RMP (15/04/2021)

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