



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.25793 OF 2021

AND

W.M.P.NO.27248 OF 2021

K. Sivanesan

....

Petitioner

Vs

1. The Coimbatore Corporation,
Represented by its Commissioner,
Coimbatore.

2. The Town Planning Officer,
Coimbatore North,
Coimbatore Corporation,
Coimbatore.

3. The Tahsildar,
Taluk Office,
Coimbatore North Taluk,
Coimbatore.

4. The Additional Divisional Engineer,
Highways Department,
Avinashi Road,
Coimbatore - 18.

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Respondents

Prayer :-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents herein and their subordinates from further demolishing the building and evicting the petitioner from the property consisting of land measuring an extent of 6240 sq.ft. and building in Corporation Tax Assessment No.390372 to 390377 and 390379 to 390382 bearing Door No.329 to 339 (New Nos.739, 741, 743, 745, 747, 749, 751, 753, 755 & 757), Sathy Main Road and Avarampalayam Road, Ganapathy Post, Coimbatore,



comprised in Old S.F.No.171/1, New S.F.No.46 of Ganapathy Village, Coimbatore Taluk & District, except by following due process of law adopting to acquisition and payment of compensation.

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For Petitioner : Mr.G. Arul Murugan
For R1 & R2 : Mr.K.Magesh
Standing Counsel
For R3 & R4 : Mr.G.Ameedius
Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, forbearing the respondents herein and their subordinates from further demolishing the building and evicting the petitioner from the property consisting of land measuring an extent of 6240 sq.ft. and building in Corporation Tax Assessment No.390372 to 390377 and 390379 to 390382 bearing Door No.329 to 339 (New Nos.739, 741, 743, 745, 747, 749, 751, 753, 755 & 757), Sathy Main Road and Avarampalayam Road, Ganapathy Post, Coimbatore, comprised in Old S.F.No.171/1, New S.F.No.46 of Ganapathy Village, Coimbatore Taluk & District, except by following due process of law adopting to acquisition and payment of compensation.

2. The similar writ petition came up before this Court and this Court, by an order dated 15.07.2021 in W.P.No. 29574 of 2015, recorded the submission made by the respondents as follows :

"2. Today, when the matter was taken up for consideration, the learned counsel for the petitioner and the learned counsel appearing for the respondents 1 & 2 jointly submitted that during the tendency of this writ petition, on the basis of the letter dated 25.01.2021 issued by the Director of Town Planning, with respect to the subject property, the Government passed an order in G.O.Ms.No.32, Housing and Urban Development [UD.4(2)] Department dated 11.02.2021 sanctioning a sum of Rs.38,64,81,827/- for the purpose of land acquisition and payment of compensation. It is further submitted by the learned counsel for the respondents 1 and 2 that after following due process of law, compensation amount would be disbursed to the parties concerned."



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3. Recording the said submission, the writ petition is closed.
Consequently, connected miscellaneous petition is closed.
No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Lpp

To

1. The Coimbatore Corporation,
Represented by its Commissioner,
Coimbatore.

2. The Town Planning Officer,
Coimbatore North,
Coimbatore Corporation,
Coimbatore.

3. The Tahsildar,
Taluk Office,
Coimbatore North Taluk,
Coimbatore.

4. The Additional Divisional Engineer,
Highways Department,
Avinashi Road,
Coimbatore - 18.

+1cc to Mr.G. Arul Murugan, Advocate, S.R.No.68609
+1cc to Mr.K.Magesh, Advocate, S.R.No.68575
+1cc to Government Pleader, SR.NO.69067

W.P.No.25793 of 2021
and
W.M.P.No.27248 of 2021

EV(CO)
PM/06/01/2022