



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S. ANANTHI

W.P. (MD) No. 705 of 2021 and

W.M.P. (MD) No. 590 of 2021

WEB COPY

The Tiruchi Seva Sangam,
Rep. by its Secretary,
No.3/2, Williams Road,
Cantonment,
Trichy - 620 001.

: Petitioner

Vs.

1.The Director of Town and Country Planning Authority,
807, Anna Salai,
Chennai - 600 002.

2.The Assistant Director of Town and Country Planning /
Member Secretary,
Trichirappalli Local Planning Authority,
Kajamalai Main Road,
Kajamalai,
Trichy.

3.Trichy Corporation,
Rep. by its Commissioner,
Bharathiar Salai,
Trichy - 620 001.

4.S.Ayyappan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 to 3 to take action against the illegal and unauthorized construction that is being put up by the 4th respondent in T.S.No.12, Block No.22, Ward No.44 of Trichy Town, violating the provisions of Tamil Nadu Town and Country Planning Act, 1971 and Rules, thereunder.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader
for R.1 & R.2



Mr.N.S.Karthikeyan
Standing Counsel for R.3

ORDER

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

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The learned Counsel appearing for the petitioner submitted that the fourth respondent is proceeding with the construction without getting the adequate planning permission from the respondents 2 & 3. Reliance has been made on the information obtained under the Right to Information Act.

2. The learned Standing Counsel appearing for the third respondent, on instructions, submitted that it is true that no planning permission has been obtained by the fourth respondent and under those circumstances, 'stop work' notice has also issued, pursuant to which, the work has been stopped.

3. In view of the aforesaid position, we are not inclined to entertain the writ petition at this stage. However, inasmuch as 'stop work' notice has already been issued by the third respondent to the fourth respondent and in pursuant to the same, the construction has been stopped, we would only direct the third respondent to proceed further and take appropriate action, in accordance with law.

4. With the above observation and direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Director of Town and Country Planning,
807, Anna Salai,
Chennai - 600 002.

2.The Assistant Director of Town and Country Planning /
Member Secretary,
Trichirappalli Local Planning Authority,
Kajamalai Main Road,
Kajamalai,

<https://hcservices.ecourts.gov.in/hcservices/>



3. The Commissioner,
Trichy Corporation,
Bharathiar Salai,
Trichy - 620 001.

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+1 CC to GP (SR-1858[F] dated 22/01/2021)

+1 CC to Mr.R.SUBRAMANIAN, Advocate (SR-1558[F] dated 21/01/2021)

+1 CC to Mr.N.S.KARTHIKEYAN, Advocate (SR-1548[F] dated
21/01/2021)

W.P. (MD) No. 705 of 2021

21.01.2021

(CO)
kv(08.02.2021) 3P 7C