



WP No.5057 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

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V.P.Ravichandran

: Petitioner

versus

- 1.The District Collector,  
Tiruppur District
- 2.The Member Secretary,  
Tiruppur Local Planning Authority,  
275, Kamaraj Road, Tiruppur,  
Tiruppur District 641 604
- 3.The Commissioner  
Tiruppur Municipal Corporation,  
Tiruppur District
- 4.The Commissioner of Police,  
Tiruppur City, Tiruppur District.

5.N.Ravichandran

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to take necessary action as per the report dated 10.11.2017 furnished by the 4<sup>th</sup> respondent against unauthorised construction raised by the 5<sup>th</sup> respondent in D.No.109/38, Kumaran Road, Tiruppur city in Ward



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J, Block 28, in Town S.No.50 & 52 to land extent of 976.30 sq.mtr. (24.12 cents) in Thottipalayam, Tiruppur City as per the Tamil Nadu town and Country Planning Act, 1971.

For the Petitioner : Mr.T.Sundaravadanam

For the Respondents : Mrs.R.Anitha,  
Special Government Pleader,  
for respondents 1 and 4

Mr.AbisheK Murthy,  
for respondents 2 and 3

Mr.P.Balasubramanian,  
Senior Counsel,  
for M/s.Ganesh & Ganesh  
for respondent No.5

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.T.Sundaravadanam, learned counsel for the petitioner, Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 and 4, Mr.AbisheK Murthy, learned counsel for respondents 2 and 3 and Mr.P.Balasubramanian, learned Senior Counsel, for respondent No.5.



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2. Learned counsel for the petitioner submits that the fifth respondent has unauthorisedly carried out construction of a commercial structure and the said construction was not in accordance with the approved plan. Many deviations were made by the fifth respondent while carrying out the construction. The space meant for parking was used for commercial purpose.

3. Learned Senior counsel for the fifth respondent submits that the basement is not being used by the fifth respondent. To make available parking space, a separate additional area has been purchased by the fifth respondent ad-measuring 52 cents (22,686 sq.ft.) in the nearby land within 500 meters of the said building. The revised plan has also been submitted to the planning authority and the same is pending consideration.

4. The learned counsel for the Corporation submits that the construction carried out was not in accordance with the approved plan. Many deviations were found. Lock and seal notice was issued and the premises was locked and sealed. As per the orders passed by this Court in WP No.6972 of 2018, dated 26.03.2018, the lock and



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seal was removed. It is further submitted that upon site inspection, it was found that the basement was locked and not used by the building owner. Additional car parking space of 50 cents was also verified and found to be correct. Additional land measuring seven cents is used for two wheeler parking.

5. It is for the planning authority to verify that the construction is in accordance with the construction plan. The revised construction permission is pending consideration. It is expected that the authorities take a decision on the said revised construction permission, expeditiously. The same shall be decided preferably within three months from today. Depending upon the decision taken, further steps may be taken by the parties.

6. The writ petition is disposed of. There will be no order as to costs.

**(S.V.G., CJ.)**

**(P.D.A., J.)**

**14.08.2023**

Index : Yes/No  
Neutral Citation : Yes/No  
tar



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