



W.P.No.9374 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

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V.Rajaram

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its Principal Secretary to the Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai – 600 009.
2. The Director,
Directorate of Town and Country Planning,
2nd, 3rd & 4th Floor, C & E Market Road,
Koyambedu, Chennai – 600 107.
3. The Commissioner,
Salem Corporation,
Salem District – 636 001.
4. The Deputy Director,
District Town and Country Planning Office,
No.6, Sannadhi Street,
Subramania Nagar,
Suramangalam,
Salem – 636 005.
5. The Joint I Sub Registrar Salem West,
Office of the Joint I Sub Registrar Salem West,
Collectorate Campus,
Salem District – 636 001.



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6. The Inspector of Police,
Kannankuruchi Police Station,
Kannankuruchi,
Salem District – 636 008.

7. M/s.Varma Constructions Pvt.Ltd.,
Rep.by its Managing Director R.Vijayavarman,
Vijay Towers,
No.68, Kitchipalayam Main Road, Rajarajan Nagar,
Salem Taluk, Salem District – 636 016.

.. Respondents

Prayer:– Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to conduct an enquiry on the petitioner representation dated 26.01.2023 with regard to the Lay out promoted by the seventh respondent for violating the Provisions of Section 49 of Tamil Nadu Town and Country Planning Act, 1971 and Rules.

For Petitioner : Mr.R.Sagadevan

For R1, R2 &
R4 to R6 : Mrs.S.Mythreye Chandru,
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to dispose the petitioner's representation to hold an enquiry as to the alleged violation of Section 49 of the Tamil Nadu Town and Country Planning Act.

2. In view of the proposition order to be passed, notice is dispensed



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with for the 7th respondent.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for respondents 1,2,4,5 and 6 and perused the records.

4. Without expressing any opinion on merits of the case, the fourth respondent is directed to conduct an enquiry, as contemplated under the Tamil Nadu Town and Country Planning Act, 1971, by giving an opportunity to the petitioner.

5. It is also represented by the learned Special Government Pleader that the second respondent has already directed the fourth respondent to consider and pass orders. Hence, the 4th respondent is hereby directed to consider the representation of the petitioner dated 26.01.2023, after giving an opportunity to the petitioner and pass orders, in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order. No costs.

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Index:Yes/No

Neutral Citation : Yes/No

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RMT.TEEKAA RAMAN,J.,

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