



WEB COPY



W.P.No.13098 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MRS. JUSTICE N.MALA**

W.P.No.13098 of 2023

R.Vijayamohan

... Petitioner

Vs.

1.The Secretary to Government
Housing and Urban Development Department
Government of Tamilnadu
Secretariat
Chennai – 600 005.

2.The Corporation Commissioner
Coimbatore Municipal Corporation
Town Hall
Coimbatore – 641 001.

3.A.K.Steel

4.J.K.Steel

5.Lalitha

(R5 impleaded vide order of this Court
dated 10.08.2023 in W.M.P.No.23292/2023)

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to initiate action under Tamil Nadu Town and Country Planning Act, 1971 and the Coimbatore City Municipal Corporation Act, 1981, by locking



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and sealing the unauthorised commercial structures and constructions built without obtaining necessary plan approval and permission under the relevant statues at SF No.1296/14, Door No.405, Bharathiar Road, New Siddhapur, Coimbatore 641 044, Central Zone, Ward No.52 and consequently demolish, restore and restrain any such structures or construction.

For Petitioner : Mr.Dhanaram Ramachandran

For Respondents : Mr.E.Vijay Anand, AGP for R1
Mr.N.Umapathi, SC for R2
Mr.P.Tamilavel for R5
For RR3 & 4 -No appearance

ORDER

The above Writ Petition has been filed for a direction to the respondents 1 and 2 to initiate action under Tamil Nadu Town and Country Planning Act, 1971 and the Coimbatore City Municipal Corporation Act, 1981, by locking and sealing the unauthorised commercial structures and constructions built, without obtaining necessary plan approval and permission under the relevant statues at SF No.1296/14, Door No.405, Bharathiar Road, New Siddhapur, Coimbatore 641 044, Central Zone, Ward No.52 and consequently demolish, restore and restrain any such structures or construction.



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2.Today, when the matter is taken up for hearing, the learned counsel appearing for the 5th respondent would state that the 5th respondent has purchased the subject property and she is going to construct a new building by demolishing the existing superstructure. The learned counsel would further submit that construction of new building will commence only when they receive the planning permission from the authorities concerned.

3.Heard the learned counsel on either side and perused the materials available on record.

4.Admittedly, the 5th respondent is the subsequent purchaser of the subject property and she is willing to demolish the existing superstructure. In order to show her bonafide, she also paid the demolition charges. Therefore, recording the submissions made by the learned counsel appearing for the 5th respondent, this Writ Petition stands closed. No costs.

J.,)

Index : Yes / No

Internet : Yes / No

Speaking order/Non-speaking order

Neutral Citation : Yes / No

(J.N.B., J.,)

(N.M.,

10.08.2023



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To

1.The Secretary to Government
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J. NISHA BANU, J.,
and
N.MALA, J.,

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