



WEB COPY



W.P.No.21959 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs.JUSTICE N.MALA

W.P.No.21959 of 2022
and
W.M.P.No.20984 of 2022

1. S.Mahadev Patel
S/o Shahaji

2. V.Krishna Lat
S/o Vasanth Lat

.... Petitioners

vs

1. The Commissioner,
Coimbatore Corporation,
Raja Street,
Coimbatore - 641 001.

2. Senthilkumar

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct 1st respondent to inspect the 2nd respondent's property comprised in T.S.No.7/1131/3, Thiyagi Kumaran Street, Coimbatore and to take action in accordance with law if any



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deviation is found in subject matter property by considering the petitioners' representation dated 12.07.2022 within a time frame as fixed by this Court.

For Petitioner : Mr.V.Anandamurthy

For Respondents : Mr.Najeeb Usman Khan
Standing Counsel for
Coimbatore Corporation/R1
Mr.Arunagiri for R2

ORDER

(The Order of the Court was made by J.Nisha Banu,J)

This Writ Petition has been filed to issue a Writ of Mandamus to direct 1st respondent to inspect the 2nd respondent's property comprised in T.S.No.7/1131/3, Thiyagi Kumaran Street, Coimbatore and to take action in accordance with law if any deviation is found in subject property by considering the petitioners' representation dated 12.07.2022.

2. Today, when the matter is taken up for hearing, the learned Standing Counsel appearing for the first respondent Corporation would state that already action has been initiated in respect of the 2nd respondent property. A notice under Sections 274(1) and 284 of the Coimbatore City Municipal Corporation Act, 1981 was issued to the 2nd respondent on 15.09.2022 instructing him to stop the construction of the building



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forthwith. A status report has also been filed by the 1st respondent stating that the 2nd respondent had constructed the building without permission from the Corporation and without leaving set back around the building and that action has been initiated against the 2nd respondent. The said statement is recorded.

3. It is needless to state that the illegal construction has to be dealt with strictly to ensure compliance with the rule of law. Therefore, the 1st respondent is directed to take further enforcement action as against the 2nd respondent and complete the same in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs.

(J.N.B.,J.) (N.M.,J.)
12.09.2023

Index:Yes/No
Speaking/Non-speaking order
vsi

To
The Commissioner,
Coimbatore Corporation,
Raja Street,
Coimbatore - 641 0011.



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J.NISHA BANU,J.
and
N.MALA,J.

vsi

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