



W.P.No.21609 of 2019

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR JUSTICE P.DHANABAL

W.P.No.21609 of 2019
and WMP.No.20827 of 2019

1.T.Manimegalai
2.Santhanamani

... Petitioners

Vs.

1.The District Collector,
Erode, Erode District.

2.The Executive Officer,
Karumanidichellipalayam Town Panchayat,
Karumanidichellipalayam,
Perundurai, Erode District.

3.Pushpavathi

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioners dated 28.06.2019 by forbearing the 3rd respondent from constructing a godown in S.No.425/7B, with patta No.2021, in Karmandichellipalayam Village, Perundurai Taluk, Erode District.



W.P.No.21609 of 2019

WEB COPY

For Petitioners : Mr.A.Sundara Vadhanan

For Respondents : Mr.E.Vijay Anand,
Additional Government Pleader for R1

Mrs.R.L.Karthika,
Government Advocate for R2

Mr.C.Prakasam for R3

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

The writ petition has been filed for a Mandamus directing the respondents

1 and 2 to consider the representation of the petitioners dated 28.06.2019 by forbearing the third respondent from constructing a godown in S.No.425/7B, with patta No.2021, in Karmandichellipalayam Village, Perundurai Taluk, Erode District.

2. According to the petitioners, godown has been unauthorizedly constructed by the third respondent without obtaining any approval from the competent authority and subsequently, the second respondent has issued planning permission vide No.74/2019-2020 dated 25.09.2019. A copy of the said proceedings has been produced before this Court.



W.P.No.21609 of 2019

WEB COPY

3. Mr.C.Prakasam, learned counsel for the third respondent submits that there is no violation of the building plan approval as alleged by the petitioner.

4. Mr.E.Vijay Anand, learned Additional Government Pleader for the first respondent submits that the third respondent has not strictly complied with the Building Plan rules and she has unauthorizedly constructed godown in violation of the Building Plan rules and therefore, prays for appropriate orders.

5. Recording the submission of the respondents that the second respondent has issued planning permission dated 25.09.2019 in favour of the third respondent and it is specifically stated by the third respondent that there is no violation of the building plan approval, as alleged by the petitioner, no further orders are necessary. If there is any violation of the building plan rules, it is open to the petitioner to approach the authorities concerned seeking necessary action .



WEB COPY



W.P.No.21609 of 2019

D.KRISHNAKUMAR, J.
and
P.DHANABAL, J.

Jvm

6. The Writ Petition stands disposed of with the above liberty. No costs.

Consequently, connected miscellaneous petition is closed.

(D.K.K., J.) (P.D.B., J.)
19.06.2023

Intex : Yes/No

Internet : Yes/No

Jvm

To

1.The District Collector,
Erode, Erode District.

2.The Executive Officer,
Karumanidichellipalayam Town Panchayat,
Karumanidichellipalayam,
Perundurai, Erode District.

W.P.No.21609 of 2019