



W.P.Nos.24674 of 2021; 698 and 700 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM :

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

AND

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

W.P.Nos.24674 of 2021; 698 and 700 of 2022

W.P.No.24674 of 2021:

K.Rajendran

Vs

.. Petitioner

- 1.The District Collector,
Collectorate,
Salem.
- 2.The Deputy Director,
Directorate of Town and Country Planning,
Salem Region,
Sooramangalam, Salem.
- 3.The Block Development Officer,
Block Development Office,
Thalaivasal Taluk & Town,
Salem District.
- 4.The President,
Pachayat Office,
Periyeri Village,
Thalaivasal Taluk, Salem District.



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5.R.G.Chandra Mohan
Hatsun Agro Product Ltd
Attupannai Back Side,
Periyeri Village and Post,
Thalaivasal Taluk,
Salem District.

.. Respondents

W.P.Nos.698 and 700 of 2022:

Hatsun Agro Product Ltd.,
Having registered office at
No.1/20-A, Rajiv Gandhi Salai (OMR),
Karapakkam, Chennai-600 097
rep. by its Authorized Signatory
P.Sivasakthivel

.. Petitioner

Vs

1.The President,
Periyeri Panchayat,
Periyeri Village, Thalaivasal Taluk,
Salem District.

2.The Block Development Officer,
Block Development Office,
Thalaivasal Taluk & Town,
Salem District.

3.The Deputy Director,
Directorate of Town and Country Planning,
No.6, Sannathi Street,
Subramani Nagar,
Suramangalam,
Salem District-636 005.

.. Respondents

Prayer: W.P.No.24674 of 2021 filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 3rd and 4th respondents to comply the 4th respondent



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notice dated 09.08.2021 made in Na.Ka.No.2330/2020/T3 and direct 3rd and 4th respondents to take appropriate action for demolition of the unauthorized commercial construction put up by the 5th respondent which is situated in S.Nos.422/4, 422/3, 58/2, 58/3 Periyeri Village, Thalaivasal Taluk, Salem District based on the petitioner's representation dated 17.10.2020.

W.P.No.698 of 2022 filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records and quash the second respondent's order dated 20.12.2021 warning to lock and seal the petitioner's factory situated at S.Nos.422/3, 422/4 57/3A, 58/2, 58/3, Periyeri Village, Thalaivasal Taluk, Salem District and also disconnect the supply of electricity to the said factory.

W.P.No.700 of 2022 filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records and quash the third respondent's lock and seal notice Na.Ka.No.3820/2021/Se.Ma.3 dated 17.12.2021 to lock and seal the petitioner's factory situated at S.Nos.422/3, 422/4, 57/3A, 58/2, 58/3, Periyeri Village, Thalaivasal Taluk, Salem District and direct the third respondent to expeditiously adjudicate on the petitioner's pending application dated 29.12.2020 under Section 47-A of the Tamil Nadu Town and Country Planning Act, 1971.

For the Petitioner : Mr.A.Rajkumar
in W.P.No.24674/2021

For the Petitioner : Mr.Surya Senthil
in W.P.Nos.698 and 700 for M/s.Surana and Surana
of 2022
and
Respondent No.5
in W.P.No.24674/2021



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For the Respondents
1 to 3 in all WPs

: Mrs.R.Anitha
Spl. Government Pleader

: No appearance
for respondent No.4
in W.P.No.24674/2021

COMMON ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.A.Rajkumar, learned counsel for the petitioner in W.P.No.24674 of 2021; Mr.Surya Senthil for M/s.Surana and Surana, learned counsel for the fifth respondent in W.P.No.24674 of 2021 and the petitioner in W.P.Nos.698 and 700 of 2022 and, Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 3 in all three writ petitions.

2. Learned counsel for the petitioner in W.P.No.24674 of 2021 submits that the third and fourth respondents are not taking any action in respect of the commercial building put up by the fifth respondent in the writ property.



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3. Learned counsel for the petitioners in W.P.Nos.698 and 700 of 2022 submits that the construction is authorized and permission has been granted by the planning authority on 18.11.2022.

4. Learned Special Government Pleader, on instructions, submits that inspection was made and thereafter approval has been granted to the construction of the fifth respondent in W.P.No.24674 of 2021.

5. In view of the same, the writ petitions stand disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.25971 of 2021, 750 and 754 of 2022 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

20.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

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