



W.P.No.21586 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM :

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

AND

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

W.P.No.21586 of 2017

P.Selvarajan

.. Petitioner

Vs

1.The Commissioner,  
Directorate of Town and Country Planning,  
Chengalvarayan Building,  
4<sup>th</sup> Floor, 807, Anna Salai,  
Chennai-600 002.

2.The Deputy Director,  
Directorate of Town and Country Planning,  
Salem Region, Sooramangalam,  
Salem.

3.The Commissioner,  
Attur Municipality,  
Municipality Office,  
Attur – 636 102,  
Salem District.

4.C.Ravishankar

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the second and third respondents to initiate proceedings against the fourth respondent for violation of building plan approval as per Section 56 and 57 of the Town and Country Planning Act, 1971 in accordance with law.

|                     |                                                                                                                                          |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner  | : Ms.S.Yogalakshmi<br>for Mr.K.Rajasekaran                                                                                               |
| For the Respondents | : Mr.P.Muthukumar<br>State Government Pleader<br>assisted by<br>Mr.K.Karthick Jeganath<br>Government Advocate<br>for respondents 1 and 2 |
|                     | : Mr.P.Sanjay Gandhi<br>for respondent No.3                                                                                              |
|                     | : No appearance<br>for respondent No.4                                                                                                   |

### ORDER

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

We have heard Ms.S.Yogalakshmi, learned counsel for the petitioner; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.Karthick Jeganath, learned Government Advocate



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for respondents 1 and 2 and, Mr.P.Sanjay Gandhi, learned counsel  
for the third respondent.

2. We are not entering into the personal allegations made against each other by the parties.

3. Learned counsel for the respondent Municipality submits that the construction of ground floor and first floor by the fourth respondent is authorised and the second floor is unauthorised. On 20.10.2017, an application has been given by the fourth respondent for regularisation.

4. Learned State Government Pleader submits that if the said application is pending with the second respondent, the same would be decided expeditiously.

5. Depending upon the same, the Municipality may take further course of action expeditiously in accordance with law.



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6. With the above observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.34822 of 2017 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

18.07.2023

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.

bbr

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