



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.01.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)NO.15773 OF 2022
and
W.M.P(MD)Nos.11364 and 11366 of 2022**

1.S.Padmavathi

2.S.Jeyalakshmi

:Petitioners

.VS.

1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Cantonment,
Bharathidasan Salai,
Tiruchirappalli – 620 001.

2.The Director of Town and Country Planning,
Office of the Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor, C & E Market Road,
Koyambedu,
Chennai – 600 107.

3.S.Subramanian

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 and 2 to take immediate action against the third respondent for the violation committed by him under Section 296 of Tiruchirappalli City Municipal Corporation Act and Section 49 of



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the Tamil Nadu Town and Country Planning Act by putting up constructions without due building licence and planning permit in Tiruchirappalli District, within Tiruchirappalli City Municipal Corporation Limits, in Annamalai Nagar, a building site situated in Old.T.S.No.4061/2, New T.S.No.80, Ward No.B(G), Block -21 measuring 6,308 sq.ft.

For Petitioners	:Mr.S.K.Mani
For Respondent-1	:Mr.R.Baskaran Standing Counsel
For Respondent-2	:Mr.K.Balasubramani Special Govt.Pleader
For Respondent-3	:Mr.T.Lajapathi Roy

ORDER

(Order of the Court was made by D.KRISHNAKUMAR,J)

The Petitioner has filed this Writ Petition to direct the respondents 1 and 2 to take immediate action against the third respondent for the violation committed by him under Section 296 of Tiruchirappalli City Municipal Corporation Act and Section 49 of the Tamil Nadu Town and Country Planning Act by putting up constructions without due building licence and planning permit in Tiruchirappalli District, within Tiruchirappalli City Municipal Corporation Limits, in Annamalai Nagar, a building site situated in Old.T.S.No.4061/2, New T.S.No.80, Ward No.B(G), Block -21



measuring 6,308 sq.ft.

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2.The Joint Director of Tiruchirappalli District Town and Country Planning has addressed a letter, dated 09.12.2022 to the Commissioner,Tiruchirappalli Municipality and has passed the rejection order informing the Commissioner, Tiruchirappalli Municipal Corporation for taking necessary action for the unauthorized construction of the building, under Section 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971. A counter is filed by stating that the site was inspected on 08.12.2022 and found that the building constructed by the third respondent violating the building rules by his unauthorized and deviated construction.

3.Recording the aforesaid facts, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed. It is open to the Petitioner to work out his remedy in respect of the rejection order passed by the authorities concerned, in the manner known to law, if so advised.

[D.K.K.,J.] [R.V.,J.]
04.01.2023



Index:Yes/No
Internet:Yes/No
NCC:Yes/No

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vsn

To

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Tiruchirappalli – 620 001.
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D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

vsn

ORDER MADE IN

W.P(MD)NO.15773 OF 2022

and

W.M.P(MD)Nos.11364 and
11366 of 2022

04.01.2023