



W.P(MD)No.16133 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE P.VADAMALAI**

W.P(MD)No.16133 of 2021
and
W.M.P(MD)No.12994 of 2021

G.Krishnamoorthy

... Petitioner

Vs.

1.The Deputy Director of Town and Country Planning,
Tiruchy Region,
Kajamalai Main Road,
Kajamalai,
Tiruchirappalli – 620023.

2.The Commissioner,
Tiruchirappalli City Municipal Corporation,
No.58, Bharathidasan Salai,
Contonment,
Tiruchirappalli – 620001.

3.The Assistant Commissioner,
Ariyamangalam Zone,
Tiruchirappalli City Municipal Corporation,
18, Palakkarai Main Road,
Palakkarai,
Tiruchirappalli – 620001.

4.Mrs.P.G.Ammani
5.Mr.P.G.Prince

.. Respondents



W.P(MD)No.16133 of 2021

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation, dated 15.07.2021 and to inspect the disputed construction carrying on by the respondents 4 & 5 at Door No.1A, Saveriyar Kovil Street, Palakkarai, T.S.No.83, Block No.12, Ward No.20, Tiruchirapalli Municipal Corporation and to stop the unauthorised construction as per the existing provision under Section 56 and 57 of Tamil Nadu Town and Country Planning Act, 1971.

For Petitioner : Mr.T.Lenin Kumar
For R-1 : Mr.P.Thilak Kumar,
Government Pleader

For R-2 & R-3 : Mr.R.Baskaran,
Additional Government Pleader

For R-4 & R-5 : Mr.R.J.Karthick

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.T.Lenin Kumar, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for the first respondent, Mr.R.Baskaran, learned Additional Government Pleader for respondents 2 and 3 and Mr.R.J.Karthick, learned counsel for respondents 4 and 5.



W.P(MD)No.16133 of 2021

2. The petitioner alleges unauthorized construction on behalf of respondents 4 and 5.

3. Counter affidavit is filed by the third respondent stating that construction of respondents 4 and 5 is not unauthorized and that is under the permission. Necessary building permission has been approved in favour of respondents 4 and 5. However, there was some deviation made in the fifth respondent's building and consequently, notice under Section 282(1) & (2) of the Coimbatore City Municipal Corporation Act, was issued, so also, proceedings were initiated under Section 447 of the Act.

4. The Additional Government Pleader appearing for the third respondent would submit that if there is any deviation, action would be taken by the Corporation in accordance with law expeditiously.

5. In light of that, the writ petition stands is disposed of. No Costs. Connected Miscellaneous Petition is closed.

(S.V.G., CJ.)

(P.V.M., J.)

28.08.2023

NCC :Yes/No
Index :Yes/No
PM



W.P(MD)No.16133 of 2021

To:

WEB COPY

- 1.The Deputy Director of Town and Country Planning,
Tiruchy Region,
Kajamalai Main Road,
Kajamalai,
Tiruchirappalli – 620023.
- 2.The Commissioner,
Tiruchirapalli City Municipal Corporation,
No.58, Bharathidasan Salai,
Contonment,
Tiruchirappalli – 620001.
- 3.The Assistant Commissioner,
Ariyamangalam Zone,
Tiruchirapalli City Municipal Corporation,
18, Palakkarai Main Road,
Palakkarai,
Tiruchirappalli – 620001.



WEB COPY



W.P(MD)No.16133 of 2021

THE HON'BLE CHIEF JUSTICE
and
P.VADAMALAI, J.

PM

W.P.(MD)No.16133 of 2021

28.08.2023