



W.P(MD)No.15559 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.15559 of 2014
and
M.P.(MD)No.1 of 2014**

K.Krishnan

... Petitioner

Vs.

1.The Member Secretary/ The District Collector,
Tiruchirappalli Local Planning Authority,
Tiruchirappalli,
Tiruchirappalli District

2.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli,
Tiruchirappalli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to



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consider the petitioner's revised plan application, dated 25.08.2014 and direct the respondents not to take any coercive steps of Demolition of the petitioner buildings situated in the Door Nos.31 and 32, T.S.No.14 part, 15 Block No.25, Ward No.Y. (Old ward No. E) at Thennur Old Agraharam Street (Anna Nagar Road), Thennur, K.Abishegapuram Zone, Tiruchirappali City Corporation then.

For Petitioner : Mr.N.Subramani

For Respondents : Mr.S.P.Maharajan – for R1

Special Government Pleader

Mr.R.Baskaran

Standing Counsel

for M/s.R.B.Law Associates – for R2

ORDER

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

Heard Mr.N.Subramani, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader appearing for the first respondent and Mr.R.Baskaran, learned Standing Counsel appearing for the second respondent.



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2. The learned counsel for the petitioner submits that the petitioner could not contact the petitioner.

3. Be that as it may, the notice under Sections 56 and 57 has been challenged.

4. It is submitted by the learned counsel for the Corporation that the approval was granted for stilt plus two floors. However, the petitioner has constructed stilt floor as a ground floor and has constructed upto four storeys.

5. According to the learned counsel for the petitioner, proposal was given for the approval of the revised plan. The same is not decided.

6. At the first instance, the petitioner ought not to have constructed against the plan. As such, notice issued cannot be faulted with.

7. Be that as it may, if the proposal is given for approval of the revised plan and if the same is pending with the Corporation, then



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the Corporation shall take decision upon it within a period of four months from today. Depending upon the decision taken, further steps may be taken by the authorities.

8. Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.G., C.J.]

[L.V.G., J.]

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Index : Yes / No
Neutral Citation : Yes / No

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THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

RM

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