



W.P(MD)No.6728 of 2015

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 25.08.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.6728 of 2015**

**and**

**M.P(MD)No.1 of 2015**

SaiRam College of Education,  
Represented by its Correspondent,  
K.Raja,  
14-A, Pidari West Street,  
Sirkali – 609 110,  
Nagapattinam District.

... Petitioner

Vs

1.The Director of Town and Country Planning,  
Directorate of Town and Country Planning,  
4<sup>th</sup> Floor,  
Chengalvarayan Building,  
Opp.to LIC,  
No.807, Anna Salai,  
Chennai – 600 002.

2.The Deputy Director of Town and Country Planning,  
Tanjore Region,  
No.33, Rajappa Nagar,  
Medical College Road,  
Tanjore – 613 007.



W.P(MD)No.6728 of 2015

3. The President,  
Karai Medu Village Panchayat,  
Sirkali Taluk,  
Nagapattinam District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the notice in Na.Ka.No.546/2012 dated 16.3.2015 issued by the second respondent and quash the same and consequently forbear the respondents 1 to 3 from taking any action under the provisions of the Tamil Nadu Town and Country planning Act 1971 with respect to the buildings erected by the petitioner college in respect of No. 119/3, 131/1, 130/2, 133/2 and 133/1 Karaimedu village, measuring a total extent of about 5 acres.

For Petitioner : Mr.K.Mohamed Sirajudeen  
for A.S.Mujibur Rahman

For Respondents : Mr.D.Gandhiraj  
Special Government Pleader

### **ORDER**

The learned counsel appearing for the petitioner informs the Court that he has not been able to obtain instructions from the writ petitioner.

2. The second respondent had issued the impugned notice dated 16.03.2015 informing the petitioner that coercive action under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971 will be taken if the



**W.P(MD)No.6728 of 2015**

petitioner does not regularise the construction. In the typed set of papers, the petitioner has not enclosed any copy of the building plan approval from the competent authority. The building might have been constructed before the introduction of Section 47-A of the Act. But the petitioner having put up the building for educational purposes ought to show that he complied with the statutory requirements that were then in force. Since no material has been enclosed in the typed set of papers, I cannot fault the second respondent for having issued the impugned notice.

3. This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**25.08.2023**

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

To

1.The Director of Town and Country Planning,  
Directorate of Town and Country Planning,  
4<sup>th</sup> Floor,  
Chengalvarayan Building,  
Opp.to LIC,  
No.807, Anna Salai,  
Chennai – 600 002.



WEB COPY



W.P(MD)No.6728 of 2015

**G.R.SWAMINATHAN, J.**

MGA

2.The Deputy Director of Town and Country Planning,  
Tanjore Region,  
No.33, Rajappa Nagar,  
Medical College Road,  
Tanjore – 613 007.

3.The President,  
Karai Medu Village Panchayat,  
Sirkali Taluk,  
Nagapattinam District.

W.P(MD)No.6728 of 2015  
and  
M.P(MD)No.1 of 2015

25.08.2023