



W.P.No.227 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.227 of 2024

J.Krishnakumar

..

Petitioner

Vs.

1. The Principal Secretary
Housing and Urban Development Department
Fort St.George, Secretariat
Chennai – 600 009.
2. The Director
Municipal Administration
75, Urban Administrative Building
Santhome High Road, Mrc Nagar
Raja Annamalaipuram, Chennai – 600 028.
3. The Deputy Director
Town and Country Planning
2nd Floor, Dr.Nanjappa Road
Gopalapuram, Coimbatore – 641 018.
4. The Commissioner
Pollachi Municipality
Palakkad Road, Pollachi – 642 001.
5. The City Planner
Pollachi Municipality
Palakkad Road, Pollachi – 642 001.



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6. The Proprietor
Sri Balaji Complex, Door No.95/8
New Scheme Road, Pollachi – 642 002.

7. Kumarasamy
8. Selvathangam
9. Radhamani
10. Ramasamy
11. Suseela

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 3 and 4 to act in furtherance of the notices issued by them to the respondents 6 to 11 and such 160 individuals in Pollachi Municipality acting contrary to the Town and Country Planning Act, 1971 and to further direct the respondents 1 to 5 to remove all such unauthorized constructions and encroachments in and around the Pollachi Municipality.

For the Petitioner	: Ms.Abhirame for Ms.V.Srimathi
For the Respondents	: Mr.P.Muthukumar State Government Pleader for R1 Mr.B.Anand for R4

ORDER
(Made by the Hon'ble Chief Justice)

Heard Ms.Abhirame, learned counsel appearing for Ms.V.Srimathi, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader for the first respondent and Mr.B.Anand, learned counsel for the fourth respondent.

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2. It appears that the petitioner is filing multiple writ petitions. Earlier, a writ petition was filed bearing W.P.No.20181 of 2023. This Court, under order dated 26.09.2023, disposed of the writ petition by recording the submissions that notices were issued to seven violated buildings and action is being taken for lock and seal. The steps are being undertaken by the Municipality. We had further observed that if, in future, the Municipality is not implementing or taking steps to remove the unauthorized construction, then the petitioner may approach afresh.

3. The said order was passed on 26.09.2023. The present petition is filed on 02.01.2024. Some reasonable time will have to be given to the authorities to take steps. The procedure of law will have to be followed.

4. Learned counsel appearing for the fourth respondent submits that steps are being undertaken; notices will be issued.



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5. The same was also recorded in the order dated 26.09.2023 in W.P.No.20181 of 2023. After that, no further steps are taken for more than three months, which only leads to the inefficiency and incompetence of the officers concerned. The officers are expected to take steps against the erring parties and the unauthorized illegal constructions.

6. If the officers of the fourth respondent Municipality do not take prompt action against the illegal constructions, though having issued earlier notices, then the same would be viewed seriously.

7. With these observations, the present writ petition stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

05.01.2024

Index : Yes/No
Neutral Citation : Yes/No

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