



W.P.No.12719 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.A.Subbiah

2.K.Rangaraj

.. Petitioners

VS

1.The Commissioner,
Coimbatore Corporation,
Corporation Building,
Coimbatore-641 001.

2.The Director,
Town and Country Planning,
Anna Salai,
Chennai-600 002.

3.The Local Planning Authority,
Corporation Complex,
Sivananda Colony,
Coimbatore-641 012.

4.The Commissioner-Regional,
Provident Fund,
Regional Provident Fund Office,
Balasundaram Road,
Coimbatore.

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to lay a 40 ft. road connecting Avinashi Road with Peelamedu, as set out in the Detailed Development Plant (No.27) issued by the Local Planning Authority of Coimbatore.

For the Petitioners : Mr.K.Sharath Chandran

For the Respondents : Mr.K.Magesh
for respondent No.1

: Mr.A.Edwin Prabakar
State Government Pleader
for respondents 2 and 3

: Ms.R.Meenakshi
Standing Counsel
for respondent No.4

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.K.Sharath Chandran, learned counsel for the petitioners; Mr.K.Magesh, learned counsel for the first respondent; Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 2 and 3; and, Ms.R.Meenakshi, learned Standing Counsel



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for the fourth respondent.

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2. This writ petition is filed to direct respondents 1 to 3 to lay a 40 feet road connecting Avinashi Road with Peelamedu as set out in the Detailed Development Plan (No.27) issued by the Local Planning Authority of Coimbatore.

3. On the last date, we had recorded the statement of learned counsel for the first respondent that an amount of Rs.9.00 crore has been deposited with the Revenue Department for acquisition of the property. The acquisition proceedings have to be completed by the revenue authorities.

4. Today, the Minutes of the Meeting held between the City Planner, Coimbatore City Municipal Corporation and persons from the Provident Fund Office is placed on record. The Provident Fund officials agreed for the laying of scheme road measuring 20 feet width and 137.30 meter length in their premises provided due process of law is followed in the acquisition of the said land.



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5. It is stated that under a communication dated 8.4.2022, the Chief Secretary to Government, Housing and Urban Development, was pleased to approve the realignment proposal and further sanctioned the amount of Rs.8,72,39,937/- towards acquisition cost and another sum of Rs.34,00,000/- towards cost of laying the road under letter dated 15.9.2021.

6. Learned counsel for the Corporation submits that the acquisition is also sought to be made under private negotiation and talks are going on. If the acquisition by negotiation is not fructified within four months, then in respect of those persons, the acquisition proceedings would be initiated on the lapse of four months. It is submitted that the width of 40 feet will be maintained.

7. We hope and trust that the respondent authorities would abide by the statement recorded hereinabove and lay the subject road.

8. The writ petition, accordingly, stands disposed of. There shall be no order as to costs. W.M.P.No.12182 of 2022 filed by the petitioners to file a single writ petition is allowed and disposed of,



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inasmuch as the petitioners have paid separate court-fee.

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(S.V.G., CJ.)

(D.B.C., J.)

20.03.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

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