



WP No.13643 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2024

CORAM:

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

AND

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No.13643 of 2024

S.Rangaraj

...Petitioner

versus

- 1.The Member Secretary,
CMDA, Thalamuthu Natarajan Malagai,
Egmore,
Chennai-600 008.
- 2.DTCP,
Ground Floor & First Floor,
Door No.50, FCI Road, Gandhimanagar,
Ganapathy,
Coimbatore -641004.
- 3.The District Collector,
7/1, State Bank Road, Gopalapuram,
Coimbatore -641018.
- 4.The Commissioner Corporation of Coimbatore,
Coimbatore Corporation Office Raja Street,
Town Hall, Coimbatore -641 001.

1/8



WP No.13643 of 2024

5.The Inspector of Labour-Circle I,
Near RTO Office Compound,
No.43, Dr Balasundaram Road, Coimbatore Central,
Coimbatore -641018.

6.The Labour Deputy Commissioner Office,
43, Balasundaram Road, ATT Colony,
Gopala Puram, Coimbatore, Tamil Nadu-641018.

7.The Commissioner of Police,
Huzur Road, Uppilipalayam,
Coimbatore-641018.

8.Inspector of Police,
E-3 Saravanampatti Police Station,
Saravanampatti-Kalapatti Road,
Coimbatore -641035.

9.K.Venugopal

... Respondents

(Cause title amended as per order dated 29.05.2024
in WMP No.15686 of 2024 by JSNPJ and VLNJ)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
for the issuance of a writ of Mandamus to direct the respondents 1 to 8 to
take action against the illegal construction put up by 9th respondent in
Survey Number 568/4A2 and 575/1D1B of Chinnavedampatti, Coimbatore
Taluk in accordance with the petitioner's representations dated 11.05.2024.

(Prayer amended as per order dated 29.05.2024
in WMP No.15686 of 2024 by JSNPJ and VLNJ)



WP No.13643 of 2024

WEB COPY

For the Petitioner

:Mr.S.Rajendrakumar

For the Respondents

:Mr.K.Karthick Jagannathan
for first respondent
Ms.Yamunadevi,
Special Government Pleader
for respondents 2,3, 5 to 8
Mr.K.Magesh
Standing Counsel
for fourth respondent

ORDER

(Order of the Court was made by *SATHYA NARAYANA PRASAD, J.*)

The petitioner has filed this writ petition to direct the respondents 1 to 8 to take action against the illegal construction put up by 9th respondent in Survey Number 568/4A2 and 575/1D1B of Chinnavedampatti, Coimbatore Taluk in accordance with the petitioner's representations dated 11.05.2024.

2. The case of the petitioner is that the 9th respondent, who is the owner of the land in Survey No.568/4A2 and 575/1D1B of Chinnavedampatti, Coimbatore Taluk, is putting up a weighbridge in the said land without obtaining any permission from the authorities, more

3/8



WP No.13643 of 2024

particularly from the sixth respondent, who is the authority to grant permission/license to run the weighbridge. Hence, the petitioner made a representation dated 11.05.2024 to the fourth respondent/The Commissioner, Corporation of Coimbatore. Since there was no response on the said representation and the same is still pending, the petitioner has come forward with the present writ petition.

3. Learned Standing Counsel for the fourth respondent/The Corporation of Coimbatore submits that stop work notice dated 16.05.2024 has been issued to the 9th respondent by the Corporation. Pursuant to the said stop work notice, the 9th respondent has also stopped the construction and there is no construction activities going on as on date.

4. Learned counsel for the petitioner submits that it would be suffice, if this court issues direction to the fourth respondent to consider the petitioner's representation dated 11.05.2024 and pass order on merits, within a particular time to be fixed by this Court.



WP No.13643 of 2024

WEB COPY

5. Taking into consideration the factual aspects of the matter, this court, without going into the merits of the case, directs the fourth respondent/The Commissioner, Corporation of Coimbatore, to consider the representation dated 11.05.2024 submitted by the petitioner after hearing both parties and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of with the above directions. There shall be no order as to costs. Consequently, WMP Nos.14808 and 14809 of 2024 are closed.

[J.S.N.P., J.] [V.L.N., J.]
29.05.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn/gya



WP No.13643 of 2024

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WP No.13643 of 2024

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WEB COPY



WP No.13643 of 2024

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(mrn/gya)

WP No.13643 of 2024

29.05.2024