



WEB COPY



W.P.No. 15554 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.15554 of 2024

and

W.M.P.Nos.16930 & 16932 of 2024

P.Kannan

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Petitioner

Vs

1.The District Collector,
Namakkal,
Namakkal District.

2.The Assistant Director of Town Panchayat,
Assistant Direct Office,
District Collector Campus,
Namakkal,
Namakkal District.

3.The Assistant Director of Town Panchayat,
Assistant Direct Office,
District Collector Campus,
Salem District.

4.The Executive Officer,
Vennandhur Town Panchayat,
Vennandhur Post, Rasipuram Taluk,
Namakkal District.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records in



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pursuant to impugned order passed by the fourth respondent in Na.Ka.No.67/2024 dated 17.05.2024 and quash the same.

For Petitioner : Mr.M.Elango
For R1 to R3 : Mr.N.Naveen Kumar
Government Advocate
For R4 : Mrs.C.Meera Arumugam

ORDER

This Writ Petition has been filed challenging the notice issued by the fourth respondent dated 17.05.2024, thereby informed the petitioner that the industry of the petitioner will be lock and seal on 19.06.2024.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner owned land at Vennandhur Village, Rasipuram Taluk comprised in Survey No.3/1D2, 8/1 admeasuring an extent of 3000 sq.ft. The petitioner had proposed to construct a hallow bricks manufacturing workshop. The petitioner was issued registration certificate by the competent authority to start manufacturing unit in the name and style of Murugan Furniture Makers and Labour Works. Thereafter, the petitioner had applied for building permission and plan before the fourth respondent. However, by its proceedings dated



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07.07.2017, it was rejected. Thereafter, the petitioner resubmitted the representation for building permission along with all required documents in the month of September, 2017. However, it is also pending. The petitioner also submitted another representation and the same was not considered so far.

4. Thereafter, the fourth respondent issued provisional order dated 26.03.2018 stating that the petitioner constructed a building in Ward No.5, Survey No.3/1D2, 8/1 without obtaining any planning permission from the Administrative Officer. It was challenged before this Court in W.P.No.11721 of 2018, which is pending without any interim order. Once again, the fourth respondent issued notice dated 19.01.2023 under Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971, thereby informed that the land in Survey No.8/1 has been let out for rent by the petitioner in favour of his wife. Now, she is running a hollow bricks industry without any permission from the Town and Country Planning Authority. Even then, the petitioner failed to obtain any planning permission and had not even approached the fourth respondent so far. Therefore, the fourth respondent rightly issued notice dated 17.05.2024, thereby informed the petitioner that the petitioner has to



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obtain a permission from the competent authority on or before 19.06.2024 otherwise the shop of the petitioner will be locked and sealed as contemplated under Section 56(2A) of the Tamil Nadu Town and Country Planning Act.

5. In view of the above, this Court finds no infirmity or illegality in the notice dated 17.05.2024 issued by the fourth respondent and the writ petition is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. The fourth respondent is at liberty to proceed in accordance with law as per the notice dated 17.05.2024. Consequently, connected miscellaneous petitions are closed. No costs.

09.08.2024

Internet : Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To

1.The District Collector,
Namakkal,
Namakkal District.

2.The Assistant Director of Town Panchayat,
Assistant Direct Office,



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District Collector Campus,
Namakkal,
Namakkal District.

3.The Assistant Director of Town Panchayat,
Assistant Direct Office,
District Collector Campus,
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4.The Executive Officer,
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G.K.ILANTHIRAIYAN, J.

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