



WEB COPY



W.P.No.22918 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2024

CORAM :

THE HONOURABLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.22918 of 2024 and

WMP No.24958 of 2024

1. S.Venkadesan

2. V.Sasikala

... Petitioners

Vs.

1. The District Collector,
Coimbatore.

2. The Commissioner, Coimbatore Corporation,
Coimbatore District.

3. The Deputy Director, Town and Country Planning,
Door No.50, FCI Road, Gandhi Manager,
Coimbatore 641 004.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India seeking to issue a Writ of Mandamus, directing the second and third respondents to consider the representation of the petitioner dated 21.06.2024 for approval of regularization of the excess of 80 sq.m. under Section 135(3) of the Tamil Nadu Urban Local Bodies Act 2022.



W.P.No.22918 of 2024

For Petitioner : Mr.B.Nedunchelian
For Respondents : Mr.T.K.Saravanan,
Government Advocate
for respondents 1 and 3
Mr.KMD.Muhilan, Standing Counsel
for second respondent.

ORDER

(Order of the Court was delivered by the Ho'ble Acting Chief Justice)

This writ petition has been filed to direct the second and third respondents to consider the representation of the petitioner dated 21.06.2024 for approval of regularization of the excess of 80 sq.m. under Section 135(3) of the Tamil Nadu Urban Local Bodies Act 2022 and pass orders.

2. According to the petitioner, he purchased the land to an extent of 7 cents and 246 sq.ft. in T.S.No.489/1, Block No.7, Kumarapalayam Village, Coimbatore Taluk, vide sale deed dated 09.03.2020 and after getting planning permission from the Coimbatore City Municipal Corporation, he constructed the building, however, exceeded by 90 sq.m. to the original plan approval for 446 sq.m. In such circumstances, the Coimbatore Municipal



W.P.No.22918 of 2024

Corporation had issued a notice dated 14.06.2024 stating that the building constructed is not in compliance with the approved plan and further directed to submit a revised building plan for approval, within 15 days. The petitioner applied for regularization on 21.06.2024, but, has not received any communication from the respondents. Hence this writ petition.

2. Mr.T.K.Saravanan, learned Government Advocate takes notice for the respondents 1 and 3 and Mr.KMD.Muhilan, learned Standing Counsel takes notice for the second respondent.

3. The learned Government Advocate submitted that the representations of the petitioner will be considered by the authorities concerned and appropriate orders will be passed in accordance with law.

4. Considering the limited scope of prayer and also taking into account the submission made by the learned Government Advocate, we inclined to pass the following order.



W.P.No.22918 of 2024

i) The second respondent is directed to consider the representation of the petitioner dated 21.06.2024 and pass appropriate orders in accordance with law, as early as possible within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(D.K.K., A.C.J.)

(P.B.B.J.)

13.08.2024

Internet: Yes/No
Index : Yes/No
mst

To

1. The District Collector,
O/o District Collector,
Kallakurichi.
2. The Tahsildar, Chinnasalem,
Kallakurichi District.
3. The President, Pandiyankuppam Panchayat,
Pandiyankuppam, Chinnasalem Taluk,
Kallakurichi District.



WEB COPY



W.P.No.22918 of 2024

THE HON'BLE ACTING CHIEF JUSTICE

and

P.B.BALAJI, J.

mst

W.P.No.22918 of 2024

13.08.2024