



W.P.No.26065 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.26065 of 2022

K.Govindaraj

.. Petitioner

Vs.

1. The Zonal Director/Deputy Director
Directorate of Town and Country Planning
Salem Region
5, Sannathi Street
Salem District
Tamil Nadu 636 005.

2. The Commissioner
Attur Municipality
Municipality Office Attur
Salem District.

3. Sundaram Multispecialty Hospital
Rep. by its Managing Director P.Govindaraj
Sadagopan Street
Near Gandhi Statue
Udayarpalayam Attur Town
Salem District 636 102.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 and 2 to inspect the 3rd respondent hospital and make appropriate enquiry over the illegal and unauthorised construction of the 3rd respondent hospital and take necessary action, by considering the petitioner's representation dated 12.08.2022.

For the Petitioner : Mr.B.Balavijayan

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for Respondent-1

Mr.B.Anand
for Respondent-2

Mr.R.Shivakumar
For M/s.K.M.Vijayan Assts.
for Respondent-3

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.B.Balavijayan, learned counsel for the petitioner, Mr.K.Karthik Jegannath, learned Government Advocate for the first respondent, Mr.B.Anand, learned counsel for the second respondent and Mr.R.Shivakumar, learned counsel for the third respondent.



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2. Illegal construction is alleged against the third respondent by the petitioner.

3. According to learned counsel for the petitioner, the petitioner had been to Udayarpalayam, Attur Town, Salem District, wherein he found that one of his known persons, who was working at the site of the third respondent, got injured. On enquiry, it was found that illegal construction is carried out by the third respondent and as such, the present writ petition is filed.

4. The third respondent has filed an affidavit stating that the building was constructed after getting the approval from the Attur Municipality.

5. On 11.08.2017, notice was issued by the Deputy Director of Town and Country Planning, Salem, citing violations in the building.

6. It appears that appeal was filed before the Committee. The Committee disposed of the appeal with direction to the third



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respondent to submit a fresh application. It is further stated that the third respondent has purchased the adjacent land and has applied for patta. The patta is issued. Further steps would be taken with regard to permission.

7. It appears that the planning authority has taken steps against the construction of third respondent. In the light of that, no further orders are necessary. The writ petition stands dismissed. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

21.03.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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Directorate of Town and Country Planning Salem Region
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Tamil Nadu 636 005.
2. The Commissioner
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Municipality Office Attur, Salem District.



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