



W.P.No.27094 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.27094 of 2024

R.Suresh

.. Petitioner

Vs

- 1.The District Collector,
Collectorate Complex,
Pondicherry.
- 2.The Commissioner,
Municipality Corporation,
Oulgarpet,
Pondicherry.
- 3.The Puducherry Planning Authority,
rep. through a Member of the Secretary,
Puducherry.
- 4.The Puducherry Pollution Control,
III Floor, PHB Building,
Anna Nagar,
Puducherry-605 005.



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5.Akash Nagendran
Owner of Abirami Home Stay,
No.39, East, New Saram,
Saram, Puducherry.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove the unauthorised Abirami Home Stay from the fifth respondent's building comprised with Door No.39, East Street, New Saram, Saram, District based on the representation of the petitioner and other residential people dated 11.1.2024.

For the Petitioner : Ms.T.Lavanya

For the Respondents : Mr.S.Raveekumar
Govt. Pleader (Puducherry)
for respondents 1 to 4

ORDER

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

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 to 3 to remove the unauthorised Abirami Home Stay from the fifth respondent's building situated at Door No.39, East Street, New Saram, Saram District, based on the representation dated 11.1.2024 of the petitioner and other residents.



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2. Learned Government Pleader (Puducherry), on instructions, submitted that "Abirami Home Stay" has been unauthorisedly constructed and in that regard, the owner of the building, namely M.Santy, was issued with a demolition notice on 7.5.2024. As against the demolition notice, M.Santy has filed an appeal before the Puducherry Town and Country Planning Board on 9.5.2024 and the Board is yet to take up the appeal for hearing. According to learned Government Pleader (Puducherry), further action will be taken subject to the outcome in the said appeal.

3. Recording the submission made by learned Government Pleader (Puducherry), the writ petition is disposed of. If the petitioner wishes to file an objection in the appeal filed by M.Santy, it is open to the petitioner to do so. If any such objection is filed, the same shall also be considered by the Board along with the appeal on merits and in accordance with law. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B, J.)
18.09.2024

Index : Yes/No



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: Yes/No



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To:

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THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

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