



WEB COPY



WP No.31152 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2024

CORAM:

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

AND

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

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S.Vijayarangan

... Petitioner

versus

- 1.The District Collector,
7/1, State Bank Road, Gopalapuram,
Coimbatore,
Tamil Nadu 641018.
- 2.Directorate of Town and Country Planning,
Door No.50, FCI Road,
Gandhi Nagar,
Ganapathy,
Coimbatore-641004.
- 3.The Commissioner,
Karumathampatty Municipality,
28, A.K. Main Road,
Somanur,
Coimbatore(dt)-641668.



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4.S.Thangavel

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to initiate appropriate action under the Tamil Nadu Town and Country Planning Act, 1971 and to demolish the illegal, unauthorized construction situated in survey number 219/1B , Karumathampatty Village, Sulur Taluk, Coimbatore-641 659.

For Petitioner : Mr.R.Harikrishnan

For Respondents 1 and 2 : Mrs.V.Yamunadevi
Special Government Pleader
for respondents 1 and 2

ORDER

(Made by D. KRISHNAKUMAR, J.)

Writ petition is filed for a direction to the respondents 1 to 3 to initiate appropriate action under the Tamil Nadu Town and Country Planning Act, 1971 and to demolish the illegal, unauthorized construction situated in survey number 219/1B , Karumathampatty Village, Sulur Taluk, Coimbatore-641 659.

2. The petitioner has made a representation dated 16.08.2023 to



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the respondents 1 to 3 to take necessary action against the fourth respondent. In the said representation it is stated that the no building plan approval was obtained for construction of buildings on club premises in question, and no property tax has been paid for the said building and thus, the structure constructed is unauthorized. Following which electricity connection to the club was disconnected and the club is functioning 24/7 on diesel generators, which is causing noise and air pollution. So far no action has been taken by the respondent authority. Hence, the petitioner has filed the present writ petition.

3. Considering the limited scope of the prayer as sought for by the petitioner, without going into the merits of the case, this Court is inclined to direct the respondent authority to consider the petitioner's representation dated 16.08.2023 on merits and in accordance with law, as early as possible, within a period of eight weeks from the date of receipt of a copy of this order, after providing opportunity to the parties concerned.



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4. With the above directions, the writ petition stands disposed of.

There shall be no order as to costs.

(D.K.K., J.) (P.B.B., J.)
23.10.2024

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

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D. KRISHNAKUMAR, J.

and

P.B. BALAJI, J.

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