



W.P.No.32812 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2024

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.32812 of 2024

Dinadayalou Dayal

... Petitioner

Vs.

1.The Director, Town and Country Planning Authority,
Jawahar Nagar, Puducherry.

2. The Member Secretary, Puducherry Planning Authority,
Jawahar Nagar, Puducherry.

3. The Commissioner,
Puducherry Municipality, Puducherry.

4. The President, Sri Saradambal Temple,
Elapillaichavady, Puducherry

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take necessary action on the Government Letter dated 01.07.2024 and thereby to demolish and remove the unauthorized and illegal construction built by the fourth respondent at Sri Saradambal Temple, Elapillaichavady,



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Puducherry by violating the approved building plan.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr. S.Raveekumar, Government Pleader,
Puducherry

COMMON ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

This writ petition has been filed to direct the respondents 1 to 3 to take necessary action on the Government Letter dated 01.07.2024 and thereby to demolish and remove the unauthorized and illegal construction built by the fourth respondent at Sri Saradambal Temple, Elapillaichavady, Puducherry, by violating the approved building plan.

2. Learned Government Pleader (Puducherry) on instructions submitted that the fourth respondent has submitted a revised building plan application before the authorities concerned and it was considered and as per the decision taken in the Puducherry Planning Authority Committee meeting held on 15.02.2022, the revised building plan approval for the construction of three storeyed Dyanam Mandabam and Swamiji's Rest



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House, complex building executed (Sri Sringeri - Shivanganga Mutt) in the existing temple Mutt premises was issued vide permit No,PPA/863/2397/Z (SB-Pudupalayam)/2019-2022, dated 13.05.2022.

2.1. He also submitted that, regarding the petitioner's building Hotel D' Erope, a building plan application was submitted to the Puducherry Planning Authority by Tmt.Umadevy Dayal, Director on 13.11.2019 seeking approval for the additional construction of Swimming Pool to the existing hotel building. The Puducherry Planning Authority processed the application and obtained clearances from the relevant line departments. However, Tmt.Umadevy Dayal proceeded with unauthorized construction without obtaining valid permission from the Authority. Subsequently Umadevy Dayal was instructed to submit a revised plan as per the execution, In response, Tmt.Umadevy Dayal Submitted a plan on 26.04.2021, which also did not match with the execution and remains pending disposal.

3. From the above submission made by the learned Government



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Pleader, it is clear that for the construction made by the fourth respondent, deviating the building plan, he has submitted a revised building plan for approval before the authorities concerned and the same was approved, vide order dated 13.05.2022. Therefore, we are of the view that there is no merit in the writ petition and the same is liable to be dismissed.

4. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

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

13.11.2024

Internet: Yes/No
Index : Yes/No
mst

To

- 1.The Director, Town and Country Planning Authority,
Jawahar Nagar, Puducherry.
2. The Member Secretary, Puducherry Planning Authority,
Jawahar Nagar, Puducherry.
3. The Commissioner,
Puducherry Municipality, Puducherry.



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and
P.B.BALAJI, J.

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