



W.P.No.5754 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 09.07.2025

C O R A M

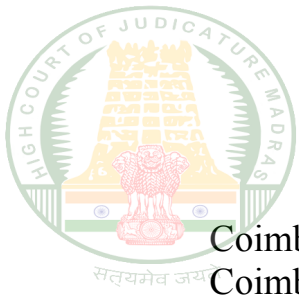
THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN
W.P.No.5754 of 2024

R.Sakthivel
S/o.A.Raju, No.26, Savithri Nagar,
Palkarar Thottam, Vilankurichi Road,
Coimbatore- 641 035.

... Petitioner

Versus

1. The Commissioner
Coimbatore Corporation Office,
Coimbatore- 641 001.
- 2.The Assistant Commissioner
Coimbatore Corporation Office (east
Zone), Coimbatore- 641 001.
- 3.The Assistant Town Planning
Officer
Coimbatore Corporation Office (east
Zone), Coimbatore- 641 001.
- 4.The Collector
Collectorate Building, Coimbatore-
641 018.
- 5.The Mayor



W.P.No.5754 of 2024

Coimbatore Corporation Office ,
Coimbatore- 641 001.

WEB COPY

6.JAYAKUMAR
No.25, Savithri Nagar, Palkarar
Thottam, Vilankurichi Road,
Coimbatore- 641 035.

7.THARAKESHWARI
W/o.Jayakumar, No.25, Savithri
Nagar, Palkarar Thottam,
Vilankurichi Road,
Coimbatore- 641 035.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution, praying for issuance of a Writ of Mandamus, to direct the 1st to 5th Respondents to consider the Petitioners representations dated 17.04.2023, 17.08.2023, 21.09.2023 and 17.10.2023 and direct them to demolish the unauthorized construction put up by the Respondents 6 and 7 at S.No.240/ 2A1, bearing the plot No.25, Savithri Nagar, Near Palkarar Thottam, vilangurichi Road, Coimbatore and pass.

For Petitioner(s):

Mr.Prbhakaran

For Respondent(s):

Mr.N.Umapathi, Standing Counsel (Coimbatore Corpn.)
for R1 to R3

Mr.M.Venateswaran, Spl.GP for R4

Mrs.Vijayakumari Natarajan for R6

ORDER



W.P.No.5754 of 2024

(By J.Nisha Banu,J.)

This Writ Petition has been filed, praying for issuance of a Writ of

WEB COPY

Mandamus, to direct the 1st to 5th Respondents to consider the Petitioner's representations dated 17.04.2023, 17.08.2023, 21.09.2023 and 17.10.2023 and direct them to demolish the unauthorized construction put up by the Respondents 6 and 7 at S.No.240/ 2A1, bearing the plot No.25, Savithri Nagar, Near Palkarar Thottam, Vilangurichi Road, Coimbatore.

2. According to the petitioner, the respondent Nos.6 and 7 started constructing a residential building comprised of ground plus four floors unauthorizedly without proper setback spaces, in violation of the provisions of the Tamil Nadu Combined Development and Building Rules, 2019 and Section 56 & 57 of the Tamil Nadu Town and Country Planning Act, 1971. In this regard, the petitioner has made representations to the respondent Nos.1 to 5 seeking appropriate action. However, despite his representations since no action is forthcoming, the petitioner has come forward with the present Writ Petition.

3. Learned Standing Counsel for Coimbatore Corporation, while reiterating the averments made in the counter affidavit filed on behalf of the



W.P.No.5754 of 2024

WEB COPY

respondents 1 to 3 and 5, would submit that 3rd respondent issued a notice dated 18.12.2022 to the 6th and 7th respondents under Section 135 (6) Tamil Nadu Urban Local Bodies Act, 1998 for unauthorized construction and deviation of approved plan and directed them to rectify the building as per the approval plan, but the respondents 6 and 7 have not rectified the same and thereafter, the 3rd respondent sent demolition notice to the respondents 6th and 7th respondents to demolish the unauthorized construction. He would further submit that the respondents 1 to 3 and 5 will look into the issue of the petitioner and a reasonable time may be granted to them for considering and passing appropriate orders on the representations of the petitioner.

4. Considering the facts and circumstances of the case and also the submission of the counsel for the petitioner and respondents 1 to 3 and 5 and since the representations made by the petitioner are still pending, we deem it fit that it would suffice to direct the respondents 1 to 3 and 5 to consider the representations dated 17.04.2023, 17.08.2023, 21.09.2023 and 17.10.2023.

5. Accordingly, this Court, without expressing any opinion on the



W.P.No.5754 of 2024

merits of the matter, directs the 1st respondent to consider the representation of the petitioner dated 17.04.2023 by giving an opportunity of personal hearing to the petitioner, and also Respondents 6 and 7 and other parties concerned and thereafter, pass necessary orders in accordance with law. Such exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.) (M.J.R,J.)
03.07.2025

Index: Yes / No
Internet: Yes / No
suk



WEB COPY



W.P.No.5754 of 2024

J.NISHA BANU, J.

AND

M.JOTHIRAMAN, J.

suk

1. The Commissioner
Coimbatore Corporation Office,
Coimbatore- 641 001.
2. The Assistant Commissioner
Coimbatore Corporation Office (east
Zone), Coimbatore- 641 001.
3. The Assistant Town Planning
Officer
Coimbatore Corporation Office (east
Zone), Coimbatore- 641 001.
4. The Collector
Collectorate Building, Coimbatore-
641 018.
5. The Mayor
Coimbatore Corporation Office , Coimbatore- 641 001.

W.P.No.5754 of 2024