



W.P.No.8549 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.8549 of 2025

and

Writ Miscellaneous Petition No.9570 of 2025

K.Sivakumar

... Petitioner

Vs.

1.Union of India, by Chief Secretary

Government of Puducherry, Puducherry-1

2.The Chairman and District Collector, Karaikal Town and

Country Planning Authority, Karaikal.

3.The Senior Superintendent of Police,

Police Headquarters, Karaikal.

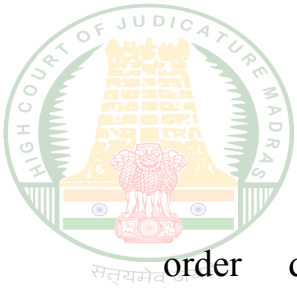
4.The Member Secretary cum Junior Town Planner

Karaikal Town and Country Planning Department, Karaikal.

5.P.Selvashanmugam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Certiorari to call for the records relating to the impugned



W.P.No.8549 of 2025

order date 06.12.2024 passed by the 4th respondent made in
No.UAC/26/KPA/KM-Kzvr/2024/790 and to quash the same.

For Petitioner : M/s.H.Kavitha

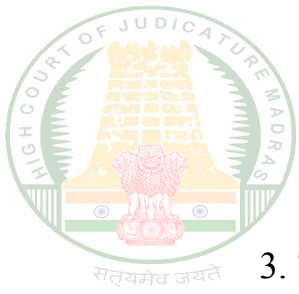
For RR1 to 4 : Mr.R.Sreedhar,
Additional Government Pleader, Puducherry

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ petition has been instituted challenging the order dated 06.12.2024 passed by the Karaikal Planning Authority, Karaikal.

2. On receipt of the complaint, the Member Secretary, Karaikal Planning Authority conducted inspection of the site and identified unauthorized constructions. Stop work notice was issued on 20.11.2020 for the unauthorized construction of residential building at R.S.No.80/13pt, TS No.102pt, Ward J, Block-03, Sivan Kovil Street, Thakkalore, Keezhavoor Revenue Village, Karaikal. The fifth respondent earlier filed W.P.No.11809 of 2024 to initiate action on his complaint to demolish the unauthorized constructions. The authorities conducted an enquiry by affording opportunity to the parties.



W.P.No.8549 of 2025

3. The grounds raised between the parties were considered elaborately and finally the Karaikal Planning Authority in line with the decision of the KPA Committee and in exercise of the powers conferred by Section 44 (1) (i) and Section 46(1) (c) (iii) of the Pondicherry Town and Country Planning Act, 1969 issued notice to demolish the unauthorized building constructed in the subject property within a period of one month from the date of issuance of the notice.

4. Though notice was issued on 06.12.2024, no further action was taken and the writ petition was filed by the petitioner challenging the said notice. The authorities are in the process of initiating the following actions:

i) Eviction Notice to the occupants of unauthorizedly constructed residential building, for which Demolition Notice was served by this Authority, would be served shortly.

ii) Consultation will be held with the District Collector and the line departments to fix a date for demolition of the Building.

iii) Necessary directions would be issued to the Electricity Dept, PWD (I&PH) to remove the supply of Power and Water Supply extended to the building, before its demolition.

iv) Police Department would be requested to provide security assistance



W.P.No.8549 of 2025

during the demolition.

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v) Revenue Department would be requested to depute an Executive Magistrate, Karaikal to provide Magisterial arrangements during the demolition.

vi) Suitable arrangements would be made by this Authority for hiring of personnel and machineries for the demolition.

5. In view of the fact that the authorities have already initiated action to remove the unauthorized constructions, the said exercise is to be completed. The learned Government Pleader, Pondicherry would make a complaint against the petitioner by stating that in the absence of any interim order passed by this Court, he has given a letter stating that the Court has orally passed an interim order, which misguided the authorities.

6. Though the said letter amounts to interfering with the administration of justice, taking lenient view, this Court is not inclined to initiate any further action. However, the actions initiated by the authorities to remove the unauthorized constructions must be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



W.P.No.8549 of 2025

WEB COPY

7. Accordingly, writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition also stands dismissed.

(S.M.S., J.) (K.R.S., J.)
18.03.2025

ssi

Index: Yes

Speaking Order: Yes/No

Neutral Citation Case : Yes/No

To:

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- 3.The Senior Superintendent of Police,
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Karaikal Town and Country Planning Department, Karaikal.



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W.P.No.8549 of 2025

S. M. SUBRAMANIAM., J.
AND
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ssi

W.P.No.8549 of 2025
and
W.M.P.No.9570 of 2025

18.03.2025