



WEB COPY

W.P.No.12077 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08.08.2025**

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU**

**AND**

**THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**WP No.12077 of 2025**

G.Chandrasekar

Petitioner

Vs

1.The Commissioner,  
Corporation of Salem, Salem.

2. Devi Suhasini

Respondents

**Prayer:** Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to take action against the 2nd respondent herein for putting up illegal constructions in Plot No.38, Rajaji Avenue, P&T Colony, East New Fair Lands, Salem - 636 016 and to demolish the same within a stipulated period.

For Petitioner(s): Mr.K.Govi Ganesan

For Respondent(s): Mrs.N.Devi,  
Standing Counsel for R1

Mr.L.Mouli for R2

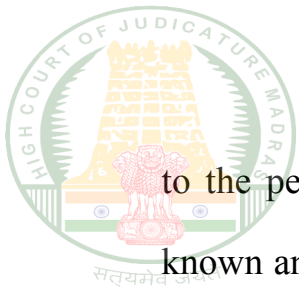
**ORDER****(Order of the Court was made by J.Nisha Banu, J.)**

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This writ petition has been filed for a Mandamus directing the 1st respondent to take action against the 2nd respondent herein for putting up illegal constructions in Plot No.38, Rajaji Avenue, P&T Colony, East New Fair Lands, Salem - 636 016 and to demolish the same within a stipulated period.

2. The case of the petitioner is that he is the absolute owner of the house and property situated at No.226 / 90G, Rajaji Avenue, P&T Colony (East), New Fair Lands, Salem - 636 016 and residing there for more than 30 years. The second respondent had purchased a plot adjacent to his house and according to the petitioner, the second respondent constructed a multi storied building without obtaining any planning permission. In this regard, the petitioner has submitted a representation dated 10.03.2023 to the first respondent to take necessary action. Since no action was taken on his representation, the petitioner filed a writ petition in W.P.No.17008 of 2023.

2.1. In the said writ petition, this Court taking note of the submission made by the first respondent, has disposed of the writ petition on 26.06.2023, by directing first respondent to take appropriate action against the unauthorised construction, if any, after disposal of the appeal filed by the second respondent herein before the Government under Section 80(A) of the TCP Act. According



to the petitioner, the fate of the appeal filed by the second respondent is not known and nearly two years had lapsed from the date of his first representation, without any action whatsoever and therefore, he is constrained to file the present writ petition with the aforesaid relief.

3. Heard the learned counsel for the parties and also perused the materials available on record.

4. It is represented that the appeal filed by the second respondent has been disposed of by the Government, however, no record has been produced before this Court as to the nature of disposal of the said appeal.

5. In such circumstances, this Court, without expressing anything on merits, directs the first respondent to consider the petitioner's representation dated 28.09.2024 by inspecting the property in question in the presence of the petitioner and the second respondent and shall take action in accordance with law, after affording opportunity of personal hearing to the petitioner and the second respondent, within a period of twelve weeks from the date of receipt of a copy of this order.



6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

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**(J.NISHA BANU J.)(M.JOTHIRAMAN J.)**

**08/08/25**

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No

MST

To

1. The Commissioner,  
Corporation of Salem, Salem.

2. Devi Suhasini, Rajaji Avenue,  
P & T Colony (East),  
New Fair Lands, Salem 636 016.



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**J.NISHA BANU J.**  
**AND**  
**M.JOTHIRAMAN J.**

MST

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