



W.P.No.11324 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 09.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.11324 of 2025
and WMP.No.12762 of 2025

Sivas Papers Private Limited
Rep by its Managing Director
C.Shanmugaraj
S/o.Chinnasamy
Meeru Kadai, Muthur Post,
Kangayam Taluk,
Tiruppur District.

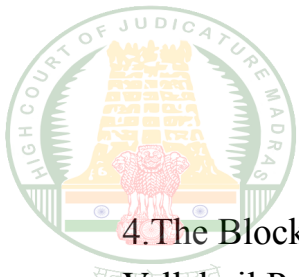
.. petitioner

vs

1.The Director of Panchayat
Kuralagam, Chennai – 2.

2.The District Collector /
Inspector of Panchayat
Tiruppur District, Tiruppur.

3.The Assistant Director of Panchayat
Collectorate, Tiruppur



W.P.No.11324 of 2025

4.The Block Development Officer
Vellakoil Panchayat Union
Vellakoil, Tiruppur District.

5.The Special Officer
Veerachozapuram Village Panchayat
Veerachozhapuram Kangayam Taluk
Tiruppur District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the 5th respondent from demanding Rs.22/- per sq.ft for construction workers welfare fund for granting building plan approval to the petitioner's construction situated in Re.SF.No.41/3B2, 42/1 and 42/2, Veerachozhapuram Village, Veerachozhapuram, Kangayam Taluk, Tiruppur District.

For Petitioner : Mr.C.Prakasam

For Respondents : M/s.M.Rajendran, AGP for R1 to R3.
Mr.K.H.Ravikumar,
Govt. Advocate for R4 & R5

ORDER

This writ petition has been filed to forbear the 5th respondent from demanding Rs.22/- per sq.ft for construction workers welfare fund for granting building plan



W.P.No.11324 of 2025

approval to the petitioner's construction situated in Re.SF.No.41/3B2, 42/1 and 42/2,

Veerachozhapuram Village, Veerachozhapuram, Kangayam Taluk, Tiruppur District.

2. The petitioner is the Managing Director for the purpose to keep the paper materials and decided to construct godown, in this connection he purchased land situated in Re.S.F.No.41/3B2, 42/1 and 42/2 in Veerachozhapuram village to an extent of 10 acres, and they approached the Director of Town and Country planning along with godown building plan for getting approval after paying prescribed fee they obtained approval. The petitioner made online building plan application before the Assistant Director of Tiruppur District Town and Country Planning and obtained Technical Clearance in turn the Assistant Director sent communication to the 5th respondent for issuance of final building plan approval. The petitioner proposed to construct 61,119sq.ft with cement sheet roof godown, and approached the 5th respondent and produced the Assistant Director of Town and Country Planning approval and paid prescribed fee. But the 5th respondent demanded Rs.22/- per sq.ft for construction workers welfare fund for a sum of Rs.13,44,618/- that too without



W.P.No.11324 of 2025

disclosing the amount arrived under in which GO. The Village panchayat collecting the welfare fund at the rate of 1% total cost of the building. It is only four wall and iron truss angles with cement sheet and there is no separate wall and other additional interior expenses the total cost comes to Rs.4,27,83,300/- at Rs.700/- sq.ft, the fund amount is calculated at Rs.4,27,833/-, whereas the 5th respondent demanding a sum of Rs.13.44.618/-. In this regard, the 5th respondent issued a demand notice and the same was received by the petitioner through online. The representation of the petitioner was considered and the 4th respondent sent communication to the 3rd respondent dated 07.03.2025, but the 3rd respondent not issued any reply, whereas the 5th respondent demanding Rs.22/-sq.ft for the welfare fund without giving any written order, but online reply was issued without any signature, hence, the petitioner could not challenge the same.

3. The learned Government Advocate appearing for the respondents 4 and 5 on written instructions from the 3rd respondent vide Na.Ka.No.A2/507/2025 dated



W.P.No.11324 of 2025

04.04.2025 has stated that the proposal with regard to construction workers welfare fund at Rs.22/- per sq.ft. for building approval has been sent to the Assistant Director of Panchayat/3rd respondent on 07.03.2025 and the orders are yet to be passed on the said proposal. The relevant portion of the said proposal is extracted hereunder :-

“பார்வையில்காண் அரசுகடிதங்களின்படி ,

தொழிலாளர்நலவாரியகட்டண

ானதுஆண்டுதோறும்

வெளியிடப்படும்பொதுப்பணி

ன்தரவிலைவிகிதப்ப

படையில்சதுரஅடிக்குரு

,22,00./ வீ

தம் 61119 சதுரஅடிக்குரு

,13இ44இ618./எனகேட்

புஇணையதளத்தில்தீர்ணயம்

செய்யப்பட்டுள்ளது, எனினும்மனுதாரரின்

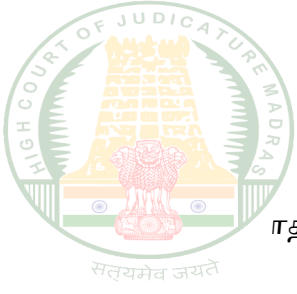
கோரிக்கையினைஏற்றுமனுதா

ரர்அளித்துள்ளவிண்ணப்பத்

ீலனைசெய்திடும்பொருட்டும்

, அனைத்

துவகையானகட்டடங்களுக்கு



W.P.No.11324 of 2025

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ராதிரியானதொழிலாளர்ந

லநிதிதொகைகேட்டுநிர்ணய

வண்டுமா

- என்பதற்கானதெ

ம்மனுவின்நகஇவ்வலுவலகந

,க,எ

,507.2025.ஆ 2இ நாள்° 07,03,2025 /ன்படிதிருப்

இயக்குநர்

(ஊராட்சிகள்) அலுவலகத்

திற்குஅனுப்பிவைக்கப்பட்

விவரத்

தை கனிவுடன்தெரி

ள்கிறேன்

”

4. The learned Government Advocate would further submit that this Court may stipulate a time frame enabling the 3rd respondent to pass orders on merits and in accordance with law.

5. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

6. The 3rd respondent is directed to pass an orders on the proposal forwarded by



W.P.No.11324 of 2025

the 4th respondent on 07.03.2025 with regard to the construction workers welfare

fund, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observations and directions, this writ petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

09.04.2025

Note : Issue copy on 16.04.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

1.The Director of Panchayat
Kuralagam, Chennai – 2.

2.The District Collector /

7/10



W.P.No.11324 of 2025

Inspector of Panchayat

Tiruppur District, Tiruppur.

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3.The Assistant Director of Panchayat
Collectorate, Tiruppur

4.The Block Development Officer
Vellakoil Panchayat Union
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W.P.No.11324 of 2025

J. SATHYA NARAYANA PRASAD, J.

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W.P.No.11324 of 2025



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W.P.No.11324 of 2025

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