



WEB COPY



W.P.No.12520 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 18.12.2025**

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.No.12520 of 2022**

K.P.Moorthy

..Petitioner

Vs.

1. The Commissioner,  
Coimbatore City Municipal Corporation,  
Big Bazaar Street,  
Coimbatore- 641 001
2. The District Collector,  
Office of the District Collector,  
Huzur Road, Coimbatore – 641 018.
3. The Member Secretary,  
Local Planning Authority,  
Dr.Nanjappa Road,  
Corporation Shopping Complex,  
Coimbatore – 641 018.
4. M/s. Akash Homes,  
rep. by Managing Partner,  
Mr.Kanagaraj,  
S.F.No.560/1, Central Studio Road,  
Singanallur, Coimbatore – 641 005.
5. M.Kanakaraj,  
S/o Mylsamy  
B1, B2, Managing Partner,  
Akash Homes  
S.F.No.560/1, Central Studio Road,  
Singanallur,  
Coimbatore – 641 005.



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6. N.Devaraj,  
Partner,Akash Homes,  
Dhanalakshmipuram,  
Singanallur,  
Coimbatore – 641 005.
7. Mohan Thomas,  
S/o Thomas,  
301, Heritage 4,  
1<sup>st</sup> Cross Veerabhadranagar,  
Marathahalli PO,  
Bangalore – 5600 037.
8. Narayana Singh,  
S/o Dwarakanth Singh,  
Partner, Akash Homes,  
S.F.No.560/1, Central Studio Road,  
Singanallur,  
Coimbatore – 641 005.
9. G.Venugopal,  
S/o Late Govindasamy Naidu  
Vinayakar Kovil Street,  
Krishnasamy Nagar, Ramanathapuram,  
Coimbatore – 641 045.
10. G.Palanisamy,  
S/o Late Govindasamy Naidu  
No.9-0A, Thiru Nagar, Dhanalakshmipuram,  
Singanallur Post,  
Coimbatore – 641 005.
11. Krishnammal,  
D/o Late govindasamy Naidu,  
310, ellai Thottam,  
Coimbatore – 641 004.
12. K.K.Ramesh,  
S/o S.Kempaiyan Gounder,  
C6, Akash Homes,  
Dhanalakshmipuram, Kallimadai,



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Coimbatore – 641 005.  
(R12 impleaded vide order  
dt.23.11.2022 made in  
WMP.No.6623/2022 in  
WP.No.12520/2022 by ACJ & DKKJ)

13. D.Chandrasekar,  
S/o D.Dorairaj,  
Villa A8, Akash Homes,  
560/1, Central Studio Road,  
Coimbatore – 641 005.

14. S.Balakrishnan,  
S/o M.Shanmugam,  
Villa A10, Akash Homes,  
560/1, Central Studio Road,  
Coimbatore – 641 005.

15. V.Sathishkumar,  
S/o G.vasudevan  
Villa A11, Akash Homes,  
560/1, Central Studio Road,  
Coimbatore – 641 005.

(R13 to R15 impleaded as per order  
made in WMP.3510/2023 dt.18.12.2025  
by SMSJ & CKJ)

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action against the respondents 4 to 11 and consequently remove the encroachment made in the layout Akash Golden Enclave situated in S.F.No.560/1 and 561/1 of Uppilipalayam Village, Coimbatore Taluk, Singanallur Sub Registration District, Coimbatore and approved vide approval number 303/2006 in light of the petitioner's representation dated



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For Petitioner : Mr.M.Santhanaraman  
For Respondents : Mr.Nateeb Usman Khan  
Standing Counsel for R1  
Mr.T.Arunkumar,  
Addl.GP for R2 & R3  
Mr.N.Manokaran for R12  
Mr.A.Saranraj for R15  
No appearance for R4 & R5  
R6 to R8 notice not ready  
R10 & R11-deceased

### **ORDER**

#### **S.M.SUBRAMANIAM,J.**

Writ of Mandamus has been instituted to direct the respondents to take appropriate action against the respondents 4 to 11 and consequently, remove the encroachment made in the layout Akash Golden Enclave situated in S.F.No.560/1 and 561/1 of Uppilipalayam Village, Coimbatore Taluk, Singanallur Sub Registration District, Coimbatore and approved vide Approval No.303/2006 in light of the petitioner's representation dated 06.09.2021.

2. Learned counsel for the petitioner would submit that as per the approved lay out, OSR lands are earmarked. The said OSR lands have been sold illegally by promoters for unjust gain. The complaints made by the petitioner since not addressed, the present writ petition came to be



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instituted.

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3. Learned counsel appearing on behalf of the 12<sup>th</sup> respondent would oppose by stating that buildings are already constructed and the 12<sup>th</sup> respondent is one among the purchasers.

4. Be that as it may. The relief sought for in the present writ petition is to initiate appropriate action based on the complaint. The authorities are bound to look into the complaint regarding the usage of OSR lands for other purposes, in the context of the Act and Rules as well as the judgments of the Hon'ble Supreme Court. In view of the said position, the official respondents are directed to look into the complaint and initiate appropriate actions, if required, within a period of twelve weeks from the date of receipt of a copy of this order. Any such actions to be initiated must be, by affording opportunity to all the parties. Accordingly, the Writ Petition is disposed of.

No costs.

(S.M.S.,J.) (C.K.,J.)  
18.12.2025

vsi  
Index:Yes/No  
Speaking/Non-speaking order  
Neutral citation  
5/7



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and  
C.KUMARAPPAN,J.**

Vsi

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