



W.P.No.12962 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 19.06.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.12962 of 2025

Mr.S.Ramadass

... Petitioner

-VS-

1. The Union Territory of Puducherry,
Rep. by The District Collector,
Office of The District Collector,
Puducherry.
2. The Secretary-cum-Chairman,
The Puducherry Planning Authority,
Jawahar Nagar, Puducherry-605 005.

3. Mr.J.Subburaman

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioner dated 28.02.2025 and to take effective measures to remove the unauthorized construction made by the 3rd respondent.

For Petitioner : Mr.V.S.Senthil Kumar

For R1 & R2 : Mr.V.Vasanthakumar
Addl. Govt. Pleader (Puducherry)

For R3 : Mr.M.P. Yuvaraj



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ORDER

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(By *J.Nisha Banu,J.*)

This Writ Petition has been filed for a direction to the 2nd respondent to consider the representation of the petitioner dated 28.02.2025 and to take effective measures to remove the unauthorized construction made by the 3rd respondent.

2. It is the case of the petitioner that the 3rd respondent, who is his neighbour has constructed a sunshade and staircase in the property of the petitioner. Though 3rd respondent had initially agreed to remove the same, there was inaction on his part thereafter. Therefore, the petitioner made a representation dated 28.02.2025 to the respondents 1 and 2 for removal of the unauthorized construction. Since there was no response on the part of the respondents 1 and 2, the petitioner is before this Court.

3. Learned Additional Government Pleader (Puducherry) appearing for the respondents 1 and 2 has filed a Status Report, wherein it has been indicated that there is a deviation from the building plan, pursuant to which, a demolition notice has been issued by the 2nd respondent, asking



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the 3rd respondent to remove the unauthorized deviated construction within one month.

4. At this juncture, learned counsel for R3 would state that the 3rd respondent has filed an appeal before the Puducherry Town and Country Planning Board on 23.04.2025, which is yet to be taken on file.

5. From the status report of the 2nd respondent, it is clear that there is a construction made by 3rd respondent, deviating from the original building / approval plan. The 3rd respondent has also filed an appeal before the concerned authority. Hence, it is for the 3rd respondent to pursue with the appeal. However, it is made clear that in case there is no stay of the demolition notice, obtained by the 3rd respondent from the Appellate Authority within a period of four weeks from today, the 2nd respondent shall proceed further and take action against the 3rd respondent in the manner known to law.

J.NISHA BANU, J.



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AND

M.JOTHIRAMAN, J.

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6. With the above observation and direction, this Writ Petition
is disposed of. No costs.

(J.N.B.J.) (M.J.R,J.)
19.06.2025

Index: Yes / No
Internet: Yes / No
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To:

1. The District Collector,
Union Territory of Puducherry,
Office of The District Collector,
Puducherry.
2. The Secretary-cum-Chairman,
The Puducherry Planning Authority,
Jawahar Nagar, Puducherry-605 005.

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