



WEB COPY

WP No. 23054 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

CORAM

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

**W.P. No. 23054 of 2025
and W.M.P.Nos.25897 and 25898 of 2025**

K.Mohamed Haroon
S/o.Kamal Batcha, No.1239, Mudupoki
Subburaya Pillai, Street, Therkutheru,
Thanjavur District

Petitioner(s)

Vs

1. The Government Of Tamilnadu
Rep By Its Principal Secretary To The
Government, Housing And Urban
Development Department, Fort
St.George, Chennai-600 009

2.The Government Of Tamilnadu
Rep By The Additional Chief Secretary
To The Government, Housing And
Urban Development (UDV (1)
Department, Fort St.George,
Chennai-600 009



3.The Director Of Town And Country
Planning

3rd Floor, Cmda Campus, E And C
Market Road, Koyambedu,
Chennai-600 107

4.The Municipal Commissioner
City Municipal Corporation, 2979/1
Gandhiji Road, Thanjavur-613 001

5.The Assistant Director
Thanjavur District Town And Country
Planning Office, N.G.K. Complex,
Najikottai Road, St.Marry Road, Near
St.Anthony Higher Secondary School,
Thanjavur-613 000

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order of the 1st respondent dated 24.1.2025 in G.O.(D)No.5 dated 24.1.2025 Housing and Urban Development Department, quash the same and consequently direct the respondents to consider and approve the proposed planning permission by the petitioner in respect of the building at Town survey No.1/3 Block No.37 Ward .8, Neelagiri Theruku Thottam Village, Thanjavur Town and Taluk Thanjavur District

For Petitioner(s): Mrs. A.L.Gandhimathi
Senior Counsel
For Mr.L. Palani Muthu



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For Respondent(s): Mr. M. Venkateshwaran
Special Government Pleader
For R1 to R3 and R5

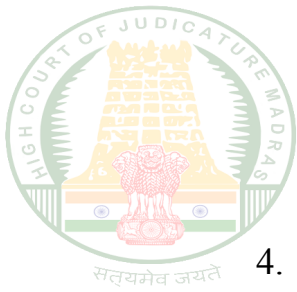
ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Writ Petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records relating to the order of the 1st respondent dated 24.1.2025 in G.O.(D)No.5 dated 24.1.2025 Housing and Urban Development Department, quash the same and consequently, direct the respondents to consider and approve the proposed planning permission by the petitioner in respect of the building at Town survey No.1/3 Block No.37 Ward.8, Neelagiri Theruku Thottam Village, Thanjavur Town and Taluk Thanjavur District.

2. When the matter is taken up for hearing today, the learned Senior Counsel appearing for the petitioner submits that all the defects pointed out in the impugned order would be rectified by the petitioner within a stipulated time as may be fixed by this Court.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court

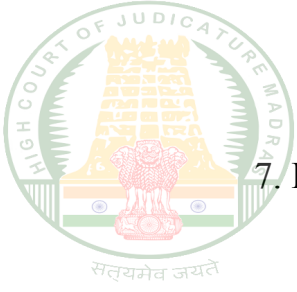


4. It is seen that the first respondent has passed a Government Order in G.O.(3D) No.5, Housing and Urban Development (UDV(1)) Department, dated 24.01.2025 pointing out certain defects which reads as follows:-

Sl. No.	Rule No	Description	Required	Available	Remarks
1)	35 (1) (b) Explanation 2 (vii)	Rear Setback – North	6.00m	0.90m	5.10m (deficit)
2)		Side Setback – West	6.00m	0.58m	5.42m (deficit)
3)		Front Setback – South	6.00m	0.96m	5.04m (deficit)
4)		Side Setback – East	6.00m	0.55	5.45m (deficit)
5)	Annexure IV (Part-I) (10) (c) Parking Requirement unstarred Hotels, other Hotels & Lodges	1 Car space for every 10 – guest room and for the non-room area, 1 car space for every 100 sq.m of floor area or part thereof and 1 two-wheeler space for every 50 sq.m of floor area or part thereof. For restaurants in these hotels – same as that specified for restaurants specified above.	There is no Car and Two Wheeler parking in the site. It is 100% violation.		

5. Considering the submissions made by the learned Senior Counsel appearing for the petitioner, this Court grants four months' time to the petitioner to rectify all the defects, as pointed out in the impugned order.

6. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.



7. Post the matter on 11.11.2025 “for reporting compliance”.

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

11-07-2025

ASI

To

1. The Principal Secretary to The
Government, Housing And Urban
Development Department, Fort
St.George, Chennai-600 009

2. The Additional Chief Secretary To The
Government, Housing And Urban
Development (UDV (1) Department,
Fort St.George, Chennai-600 009

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