



WEB COPY

WP No. 23172 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2025

CORAM

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

**W.P No. 23172 of 2024
and W.M.P.Nos.25327 and 25329 of 2024**

1. S.Sivaranganathan
S/o.M.Sadasivam, Residing At No.99,
15th Cross Street, Annai Nagar,
Navarkulam, Lawspet,
Puducherry-605 008.

Petitioner(s)

Vs

1. The Member Secretary
Puducherry Planning Authority Jawahar
Nagar, Bommianpet, Puducherry.

2.The Commissioner
Puducherry Municipality, Puducherry

3.G.Purushothaman
S/o.Govindarajalu, Residing At No.
876, Vijayalakshmi Nagar,
Koothapakkam, Cuddalore, Cuddalore
District, Tamil Nadu.

Respondent(s)



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To call for the records in the order No.PPA / 259 /2521 /Z (SB/4) /2009, dated 18-02- 2010 on the file of the 1st respondent and quash the same and to direct the 1st and 2nd respondent to demolish / remove the unauthorized construction built in Sea view in Sollai Nagar, in Neithal Street, in Ward - A, Block No.15, T.S. No.220, R.S.No.55/1pt., Cadastre No. 623/1, comprised in Patta No. 1880

For Petitioner(s): Mr. V. Balamurugan

For Respondent(s): Mr. V. Vasanthakumar
Additional Government Pleader
(Pondy) for R1 and R2

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ORDER

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

The present Writ Petition is filed for the issuance of a Writ of Certiorarified Mandamus to call for the records in the order No.PPA /259/2521/Z (SB/4) /2009, dated 18-02- 2010 on the file of the 1st respondent and quash the same and to direct the 1st and 2nd respondent to demolish / remove the unauthorized construction built in Sea view in Sollai Nagar, in Neithal Street, in Ward - A, Block No.15, T.S. No.220, R.S.No.55/1pt., Cadastre No. 623/1, comprised in Patta No. 1880.

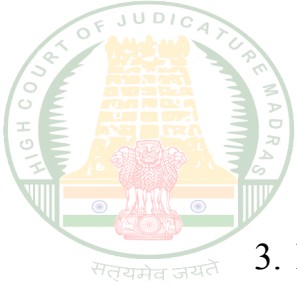


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2. Today when the matter is taken up for hearing, the first respondent has filed a Status Report dated 12.06.2025 stating that since the deviation in set-backs have been made from the approved plan, the Puducherry Planning Authority has to demolish the entire deviations made in each floor including that of the petitioner. This Authority, after ascertaining as to any of the occupants of the building has appealed to the Town and Country Planning Board, will commence the enforcement actions. The relevant portions of the report are extracted as follows:-

“8. I further submit that as the 3rd respondent failed to comply with the directions of the 1st respondent, therefore a Notice vide No.2521/PPA/Z(SB/ Puducherry/2009-25-1423 dated 27.05.2025 was served to the tenants and occupants of the building including the petitioner with direction to vacate the building within 15 days of the notice for carrying out the demolition, failing which further action will be initiated without any further notice as per the provisions of the Town and Country Planning Act, 1969 & Puducherry Building Bye Laws and Zoning Regulations, 2012.

9. Since the deviation in set-backs have been made from the approved plan, the Puducherry Planning Authority has to demolish the entire deviations made in each floor including that of the petitioner. This Authority, after ascertaining as to any of the occupants of the building has appealed to the Town and Country Planning Board, will commence the enforcement actions.”



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3. In view of the above, respondent Nos.1 and 2 shall give notice to all the owners of the building, where the deviation is found and after affording an opportunity of personal hearing, shall take appropriate action, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above observations and directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

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

16-06-2025

ASI

To

1.The Member Secretary
Puducherry Planning Authority Jawahar Nagar,
Bommianpet, Puducherry.

2.The Commissioner,
Puducherry Municipality,
Puducherry



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3.G.Purushothaman

S/o.Govindarajalu, Residing at No. 876,
Vijayalakshmi Nagar, Koothapakkam,
Cuddalore,
Cuddalore District, Tamil Nadu.



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