

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2025

CORAM

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

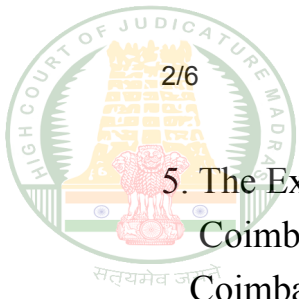
W.P. No. 24902 of 2025

S.Vijayalakshmi

...Petitioner

..Vs..

1. The Director of Town and Country Planning
Office of the Director of Town and Country Planning
2nd, 3rd & 4th Floor, C & E Market Road
Koyambedu, Chennai-600 107.
- 2.The Joint Director
District Town and Country Planning
1st and 2nd Floor
Door No.50, FCI Road
Gandhi Maanagar
Ganapathy, Coimbatore-641 004
- 3.The Commissioner
Coimbatore City Municipal Corporation
Big Bazaar Street, Town Hall
Coimbatore-641 001.
- 4.The Assistant Commissioner
Coimbatore City Municipal Corporation
(West Zone)
Coimbatore,



5. The Executive Engineer (Planning)
Coimbatore City Municipal Corporation
Coimbatore.

6. Manikandan

...Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 4th respondent to consider the representation dated 15.05.2025 and to pass appropriate orders for demolition of the illegal and unauthorised construction put up by the 6th respondent on the land bearing SF No.393/2 situate at Anupparpalayam Village, Coimbatore Town, Coimbatore, located at the address Door No.40, Senguptha Street, Ram Nagar, Coimbatore, without any building approval and planning permission and in violation of the provisions of Tamil Nadu Combined Development Building Rules 2019 and Tamil Nadu Town and Country Planning Act, 1971, within a time as fixed by this Court.

For Petitioner	:	Mr.Rhishigesh Sivakumar
For R1 & R2	:	Mr.M.Venkateswaran Special Government Pleader
For R3 to R5	:	Mr.M.Velmurugan Standing Counsel

ORDER

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

This writ petition is filed for a Mandamus, directing the 4th respondent to consider the petitioner's representation dated 15.05.2025, and to take action to demolish the illegal and unauthorised construction put up by the 6th respondent on the land bearing SF No.393/2 situate at Anupparpalayam Village, Coimbatore Town, Coimbatore, located at the address Door No.40, Senguptha Street, Ram Nagar, Coimbatore, without any building approval and planning



permission and in violation of the provisions of Tamil Nadu Combined Development Building Rules 2019 and Tamil Nadu Town and Country Planning Act, 1971, within a time as fixed by this Court.

2. It is the case of the petitioner that he is the owner and occupier of the the residential premises bearing Door No.41, Senguptha Street, Ramnagar, Coimbatore-641 009, situated in T.S No.393, Anupparpalayam Village, Coimbatore. The 6th respondent is the owner of the adjacent property in T.S.No.393/2 and is presently carrying out large scale construction activities with a proposed built-up area exceeding 2000 square feet, without obtaining any sanction or approval from the competent authorities. The said construction is being undertaken without leaving the mandatory side setbacks and rear setbacks as required under the Tamil Nadu Combined Development and Building Rules, 2019, thereby posing a direct threat to the safety, ventilation, access rights of the other neighbouring residents including the petitioner. Hence, the petitioner has sent a representation dated 15.05.2025 to the 4th respondent requesting to take action and to demolish the said unauthorised construction. But, the official respondents did not take any action on the petitioner's representation. Therefore, the petitioner is constrained to move the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner, Mr.M.Venkateswaran, Special Government Pleader, and Mr.M.Velmurugan,



learned Standing Counsel appearing for the official respondents and perused the materials placed before this Court.

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4. Considering the facts and circumstances of the case and the submissions made by the learned counsel appearing on either side, this Court, without going into the merits of the matter, directs the 4th respondent to consider the representation of the petitioner dated 15.05.2025 by affording opportunity to the petitioner as well as the private respondent and pass appropriate orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

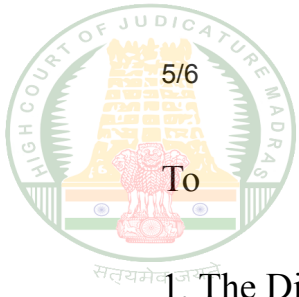
(J.NISHA BANU J.) (M.JOTHIRAMAN J.)

10.07.2025

Index: Yes/No

Internet: Yes/No

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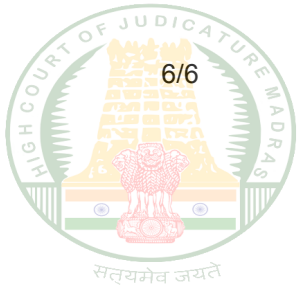
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