



WEB COPY

WP No. 1065 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE S. SOUNTHAR

W.P. No. 1065 of 2026

and W.M.P.No.1235 and 1241 of 2026

Amudha Rajkumar
W/o Late Rajkumar,
D. No 164, Race Course Road,
Coimbatore 187
Office at 1-1A Kongu Nagar,
Trichy Road, Ramanathapuram,
Coimbatore 641 045

..Petitioner(s)

Vs

1. The Commissioner
Coimbatore corporation,
Central zone,
Coimbatore
2. The Assistant Commissioner,
Central Zone,
Coimbatore Corporation,
Coimbatore 18
3. The Assistant Town Planning officer
Central zone,
Coimbatore Corporation,
Coimbatore 18

..Respondent(s)



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The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 3rd Respondnet in Na.Ka. no 3535 / 2024 / H1 M, dated 31.12.2025 and quash the same and consequently direct the Respondents 2 and 3 to consider the ptitioners reply representation dated 03.01.2026 within a time limit that may be fixed by this Court.

For Petitioner(s): Mr. B. Kumarasamy

For Respondent(s): Mr.N.Velmurugan,
Standing Counsel R1 to R3

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

Notice issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, dated 31.12.2025, came to be challenged in the present Writ Petition.

2. The learned counsel for the petitioner would submit that the petitioner, in response to the impugned notice, submitted all the documents to establish his rights. However, no final order has been passed. Thus, the present Writ Petition came to be instituted.



3. The learned Standing Counsel appearing for Coimbatore Corporation would oppose by stating that the petitioner was identified as an encroacher in the public road. He has encroached upon the public road and constructed building. Thus, the authorities have initiated enforcement action to evict the encroachers. The procedure has been followed. The explanation along with the documents, if any filed before the authority, will be considered in accordance with the provisions of the Act.

4. The petitioner states that he has already submitted his explanations along with the documents in response to the impugned notice dated 31.12.2025 issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998. Therefore, the authorities competent have to look into the documents and the explanations submitted by the petitioner and take a final decision and pass final orders without causing any undue delay. Even therefore, if encroachments are identified, the authorities shall proceed with the enforcement actions and remove all the encroachments by following the procedures.



5. With the above directions, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (S.S.,J.)

12-01-2026

Index: Yes

Asi



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S. M. SUBRAMANIAM, J.

and

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