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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP Nos. 4266 of 2023 & 11721 of 2018

and

WMP.Nos. 4313 of 2023, 13691, 13692 of 2018 & 18107 of 2020

P.Kannan

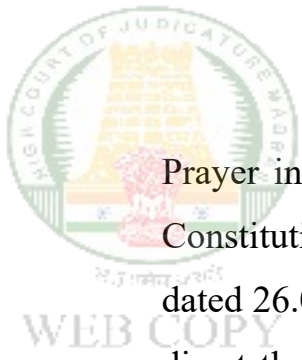
..Petitioner in both
petitions

Vs.

1. The District Collector,
Namakkal, Namakkal District.
2. The Assistant Director (Municipality),
Assistant Direct Office,
District Collector Campus,
Namakkal, Namakkal District.
3. The Assistant Director(Municipality)
Assistant Direct Office,
District Collector Campus, Salem District.
4. The Executive Officer,
Vennandhur Municipality, Vennandhur Post,
Rasipuram Taluk, Namakkal District.

..Respondents in both
petitions

Prayer in WP.No.4266 of 2023: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorarified mandamus, calling for the reocrds in pursuant to impugned order passed by the 4th respondent in Na.Ka No. 37 / 2017 dated 19.01.2023, quash the same.



Prayer in WP.No.11721 of 2018: Writ Petition filed under Article 226 of the Constitution of India, calling for the records in pursuant to impugned order dated 26.03.2018 passed by the 4th respondent quash the same and consequently direct the respondents to grant a building permission for \"Murugan Furniture Makers and Labour Works\" situated in S.No.3/1D2, 8/1 at Vth Ward Vennandhur Municipality.

For Petitioner in both petitions:	M.ElangoM/s. V. Srimathi (Vak Ret)
For Respondents in both petitions:	Mr.C.Gauthamaraj Government Advocate for R1 to R3
	Mr.T.Chandrasekaran for R4

Common Order

This Writ Petition in W.P.No.4266 of 2023 has been filed challenging the impugned order dated 19.01.2023.

2. The learned counsel appearing for the petitioner would submit that the respondents by simply invoking Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971 issued the impugned notice dated 19.01.2023. He would further submit that the said notice was issued by the respondents without mentioning the provision of law, under which, the violation was made along with other details and also without mentioning about the violation committed in terms of 56(1) therefore, the petitioner is not in a position to reply to the said notice.



3. The learned counsel appearing for the respondents by referring paragraph 3 of the counter affidavit filed would submit that in terms of Section 199 & 216(1)(2) of District Municipalities Act notice was issued to stop construction of brick industry. Since the petitioner still carrying on the activities of brick industries, the impugned notice was issued.

4. As rightly contended by the learned counsel appearing for the petitioner that if the respondents are intend to invoke provision of Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971, they supposed to have mentioned the violation made by the petitioner. The petitioner failed to reply to the said notice, since nothing was mentioned about the violation. Though in the counter affidavit the respondents referred about the notice issued to stop constructing the brick industry in terms of Section 199 & 216(1)(2) of the District Municipalities Act, still the respondents supposed to have highlighted the violations made by the petitioner or not getting any approval. In the absence of mentioning anything about the said aspect, the petitioner is not in a position to reply to the said notice or to establish the compliance of none of the terms and conditions or provisions of either Tamil Nadu Town and Country Planning Act or District Municipalities Act.

5. Such being the case, this Court feel that it is a fit case to quash the impugned notice issued to the petitioner by invoking Article 226. Accordingly,



this Writ Petition in **W.P.No.4266 of 2023 is allowed** and the impugned notice dated 19.01.2023 is quashed. No costs. Consequently, connected miscellaneous petitions are closed.

6. In so far as the writ petition filed in W.P.No.11721 of 2018 is concerned, it is filed challenging the order dated 26.03.2018 and to grant a building permission, to which, the petitioner made a representation dated 09.04.2018.

7. If the said representation is pending, the respondent concerned is directed to consider and pass appropriate orders on the same granting permission, in accordance with law, within a period of six weeks. Accordingly, **W.P.No.11721 of 2018 is disposed of** with the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

8. Post this matter for 'reporting compliance' on 22.06.2026.

23-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KKN



To

1. The District Collector,
Namakkal, Namakkal District.
2. The Assistant Director (Municipality),
Assistant Direct Office,
District Collector Campus,
Namakkal, Namakkal District.
3. The Assistant Director(Municipality)
Assistant Direct Office,
District Collector Campus, Salem District.
4. The Executive Officer,
Vennandhur Municipality, Vennandhur Post,
Rasipuram Taluk, Namakkal District.



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KRISHNAN RAMASAMY J.

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