



W.P.No.13542 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.13542 of 2026
and W.M.P.No.14805 of 2026

B.Vijaya
W/o.Balajothikannan,
No.6, Anandha Muthumariamman Koil Street,
Kuyavarpalayam, Pudupalayam Revenue Village,
Puducherry-605 013.

Petitioner

Vs

- 1.The Secretary to Government
Town and Country Planning-Cum-Chairman,
Puducherry Planning Authority,
Chief Secretariat, Goubert Avenue,
Puducherry-605 001, India.
- 2.The Member Secretary
Town and Country Planning Board,
Government of Puducherry.
- 3.The Member Secretary
Puducherry Planning Authority,
Jawahar Nagar, Boomianpet, Puducherry.

Respondents



W.P.No.13542 of 2026

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent to consider and dispose the appeal dated 05.06.2025 filed by the petitioner under section 47 (1) of the Pondicherry Town and Country Planning Act, within time frame fixed by this Hon'ble High Court and further forbear the proceedings of 3rd respondent's notice for violation and stopping of construction dated 19.05.2025 and Refusal Cum Demolition notice dated 27.05.2025 issued by the 3rd respondent, till disposal of the appeal by the 2nd respondent.

For Petitioner: Mr.P.Arumugavel

For Respondents: Mr.V.Vasanthakumar
Addl. GP (Puducherry)

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard on admission.

2. This writ petition filed under Article 226 of the Constitution of India seeks a direction to the second respondent to consider and dispose of the appeal dated 5.6.2025 filed by the petitioner under Section 47(1) of the Pondicherry Town and Country Planning Act.

3. The grievance of the petitioner is that she is the owner of the property situated at Pudupalayam Revenue Village in R.S.No.39/5(P)



W.P.No.13542 of 2026

and R.S.No.39/2(P), Cadaster No.282 part and 283 B part, T.S.No.115, Ward-G, Block No.6, Patta No.1429 measuring east-west 3.2 meters on the northern side and 2.4 meters on the southern side; south-north 20.6 meters having a total extent of 624 sq. ft. With an intention to construct a single-storied residential building, the petitioner has applied for building plan approval before the competent authority and paid scrutiny fee for the same. While the said application was pending consideration, the third respondent issued a stop work notice under Section 45(1) of the Puducherry Town and Country Planning Act, followed by a refusal-cum-demolition notice dated 27.5.2025 alleging non-compliance with minimum frontage requirement and also deviations between the plan and the site conditions. The petitioner has submitted explanation/reply to the said notice, however, without considering the explanation, the third respondent proceeded to reject the application. Aggrieved by the refusal of the application, the petitioner has filed a statutory appeal on 5.6.2025, which is still pending. Hence, the present writ petition.

4. Learned counsel appearing for the respondents, by producing a written communication dated 13.4.2026 received from the Member Secretary, Puducherry Planning Authority, submitted that ownership



W.P.No.13542 of 2026

dispute is pending consideration between the petitioner and the private party in O.S.No.29 of 2025 on the file of the III Additional District Munsif Court, Puducherry. He would submit that the appeal of the petitioner shall be decided, in accordance with law, as expeditiously as possible.

5. In the light of the statement made by learned counsel for the respondents and the fact that the appeal of the petitioner is pending since 5.6.2025, the second respondent is directed to decide the appeal and pass a reasoned and speaking order thereon, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
15.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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W.P.No.13542 of 2026

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W.P.No.13542 of 2026

THE HON'BLE CHIEF JUSTICE
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W.P.No.13542 of 2026

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