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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP No. 45110 of 2026

CNR: {HCMA012359962026}

Kokulavani

Case QR

..Petitioner(s)

Vs

1. The Secretary To Government
   Housing and Urban Development
   Department (Technical)
   Fort St. George, Chennai.

2. The Commissioner
   Coimbatore City Municipal Corporation,
   Coimbatore.

3. The City Planning Officer
   Coimbatore City Municipal Corporation,
   Coimbatore.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus forbearing the 2nd and 3rd respondents, their officials from taking any coercive or consequential action, including demolition, removal , alteration, sealing or disconnection of utilities, pursuant to the Notice bearing Ref.No.02/2026/H1 /N, dated 19.08.2026 till the disposal of the statutory appeal dated 07.09.2026 pending before the 1st Respondent.

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For Petitioner(s): Mr..A.B.Rajasekaran

For Respondent(s): Mr.K.Surender
Special Government Pleader For R-1
Mr.N.Umapathi
Standing Counsel For R 2,3

ORDER

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

The present writ petition has been instituted to forbear the 2nd and 3rd respondents, their officials from taking any coercive or consequential action, including demolition, removal, alteration, sealing or disconnection of utilities, pursuant to the Notice bearing Ref.No.02/2026/H1 /N, dated 19.08.2026 till the disposal of the statutory appeal dated 07.09.2026 pending before the 1st Respondent.

2. Relief as such sought for in the present writ petition cannot be granted in view of the fact that appeal is already preferred under Section 80-A of the Town and Country Planning Act. Sub-section (3) to Section 80-A provides that aggrieved person may prefer an application for grant of interim order. Therefore, attempting to secure injunction from the High Court in a writ proceeding during the pendency of the appeal cannot be entertained. If at all any urgent interim order is required, petitioner has to approach the appellate authority in the manner contemplated under the

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Act.

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3. In view of the fact that appeal preferred under Section 80-A is pending before the Government, the present writ petition is not entertainable. Granting liberty to the petitioner to work out her remedy in the manner known to law, writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S.,J.) (R.R.V.,J.)
05-11-2026

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

GD

To

1. The Secretary To Government
   Housing and Urban Development
   Department (Technical)
   Fort St. George, Chennai.

2. The Commissioner
   Coimbatore City Municipal Corporation,
   Coimbatore.

3. The city Planning Officer
   Coimbatore City Municipal Corporation,
   Coimbatore.

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S.M.SUBRAMANIAM, J.
AND
R.RAJESH VIVEKANANTHAN, J.

GD

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