



W.P.No.42753 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.42753 of 2025
and W.M.P.No.47824 of 2025

KS Nagar Residential Welfare Association Hosur
Rep. by its President, R.Baskar,
S/o.Rajendran,
No.5/151 2nd Cross St, Kuppusamy Nagar,
Gokul Nagar Road, Hosur
Krishnagiri District

Petitioner

Vs

- 1.The District Collector
Collectorate,
Krishnagiri District
- 2.The Commissioner
Municipal Corporation of Hosur
Krishnagiri District
- 3.The Tahsildar
Hosur Taluk, Krishnagiri District
- 4.The Inspector of Police
Hosur Police Station,
Krishnagiri District



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5.S.Srimurugan
(Owner of Plot No.150/1
First Street, Kuppusamy Nagar)
No.24 Thiruvalluvar Nagar,
Near Cambridge School, Hosur
Krishnagiri District

6.S.Subbaraj
S/o.Seeni Reddy
(Owner of Plot No.151/10
First Street, Kuppusamy Nagar)
No.26/20-AA 3rd Cross Street
Bharathidasan Nagar, Hosur
Krishnagiri District

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to forthwith take all necessary steps to halt the illegal construction of the hotel on the said plots and enforce the zoning and development control laws and consequently direct the 4th respondent, the Inspector of Police, to take appropriate steps to prevent unauthorized commercial activity in the residential locality and maintain law and order to protect the interests and safety of the residents.

For Petitioner: Ms.M.Pruntha
for Mr.J.Pradeep

For Respondents: Mr.K.Karthik Jagannath
Government Advocate
for R1 and R3

Mr.T.Balaji
Standing Counsel
for R2



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Mr.S.Vinoth Kumar
Govt. Advocate (Crl. Side)
for R4

Ms.R.Divyapreathika
for Mr.R.Bharathkumar
for R5 and R6

ORDER

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

Heard learned counsel for the parties.

2. The writ petition is filed seeking issuance of a writ of mandamus directing respondents 1 to 3 to forthwith take all necessary steps to halt the illegal construction of the hotel on the plots and enforce the zoning and development control laws and also to direct the fourth respondent to take appropriate steps to prevent unauthorised commercial activity in the residential locality and maintain law and order to protect the interests and safety of the residents.

3. The case of the petitioner is that the private respondents are illegally raising a commercial building in a residential area and



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after complaints having been made, the Commissioner of Corporation sent a communication on 24.7.2024 initiating proceedings under Sections 133(5), 180 and 134 of the Tamil Nadu Urban Local Bodies Act, 1998. Despite notices and action being initiated, the private respondents are continuing with the construction unabated. Therefore, the petitioner had to approach this Court.

4. In the counter-affidavit filed by the second respondent, it has been stated that when it came to the notice of the official respondents that unauthorised construction is being raised, it immediately initiated statutory action against respondents 5 and 6 and issued notices under law directing them to immediately cease all construction activities. According to the second respondent, pursuant to the notices, the construction activity has been stopped. The Corporation authorities are keeping a weather eye on the property to ensure that no further construction is carried out in violation of law and, as on date, the construction remains fully halted.

It is further stated in the counter-affidavit that the



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Corporation also initiated criminal prosecution against fifth and sixth respondents and the same was taken on file as S.T.C.No.993 of 2024 by the Judicial Magistrate No.II, Hosur, on the alleged commission of offence of unauthorised construction. Respondents 5 and 6 were convicted under Section 275 of Bharatiya Nagarik Suraksha Sanhita and were imposed fine of Rs.5,000/- each, totalling Rs.10,000/-. Therefore, it is not correct to say that no effective legal action required under law has been taken.

5. Learned counsel appearing for the fifth and sixth respondents would submit that, at the instance of the petitioner, for personal reasons, a frivolous complaint has been lodged and based on the said complaint, the local authorities are harassing the fifth and sixth respondents and even though no illegality is committed, the construction has been stopped. It is further submitted that a revised construction plan was submitted before the Corporation and the said application is pending consideration.

6. Taking into consideration the aforesaid stand taken by the official as well as the private respondents, it is clear that though the



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private respondents started raising construction of hotel, the Corporation has effectively intervened, action has been taken, prosecution launched, fine imposed and construction is stopped.

7. Therefore, no further orders are required to be passed in this matter. The writ petition is closed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

It is made clear that we have not commented upon the legality and validity of the action of the Corporation.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
03.02.2026

Index : Yes/No
Neutral Citation : Yes/No
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Collectorate, Krishnagiri District
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