



W.P.(MD)No.13072 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.13072 of 2026

M/s.Annai Concrete Solutions,
Rep by its Authorized Signatory,
G.Thinakaran,
SF No.745/4C, Aralvaimozhi South,
Kanyakumari District.

... Petitioner

vs.

1.The Competent Authority,
Town and Country Planning Department,
Aralvaimozhi Town Panchayat,
Kanyakumari District.

2.The Executive Officer,
Town Panchayat,
Aralvaimozhi, Kanyakumari District.

3.The Superintending Engineer,
TANGEDCO,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to grant approval application No.SWP/BPA/781114/2026 and No.SWP/BPA/826207/2026 within the time limit stipulated by this Court.



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For Petitioner	:Mr.RM.Arun Swaminathan
For R1 and R2	:Mr.M.Mahaboob Athiff Government Advocate
For R3	:Mr.M.Viji, for Mr.S.Deenadhayalan

ORDER

The Superintending Engineer, TANGEDCO, Kanyakumari District, is *suo motu* impleaded as the third respondent in the present writ petition, in view of the order proposed to be passed.

2.Heard Mr. R.M. Arun Swaminathan, learned counsel for the petitioner, Mr. M. Mahaboob Athiff, learned Government Advocate appearing for respondents 1 and 2, and Mr. M. Viji, learned counsel appearing for the newly impleaded third respondent.

3.The petitioner is before this Court seeking issuance of a Writ of Mandamus directing respondents 1 and 2 to grant approval for the construction of a weighing bridge in T.S. No.745/4C1B, Aralvoimozhi South Village, Thovalai Taluk, Kanniyakumari District.



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4.The petitioner submitted an application seeking approval for the construction of a weighing bridge in the subject property. The said application was returned by the second respondent calling upon the petitioner to furnish No Objection Certificates from the National Highways Authority, the Department of Geology and Mining, and the third respondent.

5.This Court has considered the submissions made by the learned counsel appearing on either side and perused the materials available on record.

6.A perusal of the records reveals that the application was returned on the ground that the subject property abuts a National Highway, a windmill is situated approximately 45 metres from the proposed construction site, and a low-tension electric line passes through the entrance of the property. Accordingly, the petitioner was called upon to obtain No Objection Certificates from the aforesaid departments for consideration of the application for building approval.



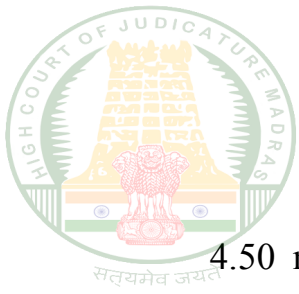
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7.The subject property is situated in an approved layout. The layout plan had been approved only after obtaining permission from the National Highways Department under Section 29 of the Control of National Highways (Land and Traffic) Act, 2002. Therefore, there is no requirement for the petitioner to obtain a fresh No Objection Certificate from the National Highways Department.

8.Insofar as the requirement of obtaining a No Objection Certificate from the Department of Geology and Mining is concerned, no such requirement is contemplated under any statutory provision. Therefore, the petitioner is not required to obtain a No Objection Certificate from the said Department.

9.Insofar as the requirement of obtaining a No Objection Certificate from the third respondent is concerned, Annexure XVII appended to the Tamil Nadu Combined Development and Building Rules (TNCDBR), 2019, deals with prohibited and restricted development areas. Clause (5) thereof stipulates that there shall be a minimum horizontal clearance of 1.50 metres and a minimum vertical clearance of



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4.50 metres in respect of low-tension power lines passing through or abutting the property. The said clause further provides that where a site abuts or is affected by the alignment of LT/HT overhead power lines or underground electric cables, construction can be permitted only upon production of a No Objection Certificate issued by TANGEDCO. Therefore, the second respondent was justified in requiring the petitioner to obtain a No Objection Certificate from the third respondent.

10.In light of the above, the petitioner is required to obtain a No Objection Certificate only from the third respondent and not from the National Highways Department or the Department of Geology and Mining.

11.Accordingly, the writ petition is disposed of with a direction to the third respondent to conduct a spot inspection of the subject property in the presence of the petitioner and, upon being satisfied that the requirements prescribed under Clause (5) of Annexure XVII to the Tamil Nadu Combined Development and Building Rules (TNCDBR), 2019, are complied with, issue a No Objection Certificate to the petitioner.



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12.The aforesaid exercise shall be completed within a period of two (2) weeks from the date of receipt of a copy of this order.

13.Upon the petitioner furnishing the No Objection Certificate issued by the third respondent, the second respondent shall consider and approve the building plan for the subject property within a further period of two (2) weeks thereafter, subject to the petitioner satisfying all other statutory requirements and eligibility criteria.

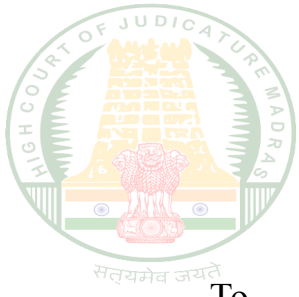
14.There shall be no order as to costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

03.06.2026

Note: Issue order copy by **05.06.2026**.

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To
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1.The Competent Authority
Town and Country Planning Department,
Aralvaimozhi Town Panchayat,
Kanyakumari District.

2.The Executive Officer,
Town Panchayat,
Aralvaimozhi, Kanyakumari District.



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HEMANT CHANDANGOUDAR, J.

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