

ITEM NO.304

COURT NO.9

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s). 17103/2026

[Arising out of impugned final judgment and order dated 18-02-2026
in SLP(C) No. No. 8044/2025 passed by the Supreme Court of India]

LOGANATHAN

Petitioner(s)

VERSUS

THE STATE OF TAMIL NADU

Respondent(s)

[PART-HEARD BY : HON. AHSANUDDIN AMANULLAH AND HON. R. MAHADEVAN,
JJ.]

IA No. 233695/2026 - ADDITION / DELETION / MODIFICATION PARTIES
IA No. 201714/2026 - APPLICATION FOR PERMISSION
IA No. 195990/2026 - APPLICATION FOR PERMISSION
IA No. 156839/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 152525/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 222635/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 195991/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 157121/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 224829/2026 - CLARIFICATION/DIRECTION
IA No. 182915/2026 - CONDONATION OF DELAY IN DEPOSITING COST
IA No. 224784/2026 - EXEMPTION FROM FILING O.T.
IA No. 222997/2026 - EXEMPTION FROM FILING O.T.
IA No. 221474/2026 - EXEMPTION FROM FILING O.T.
IA No. 219128/2026 - EXEMPTION FROM FILING O.T.
IA No. 226216/2026 - EXEMPTION FROM FILING O.T.
IA No. 195994/2026 - EXEMPTION FROM FILING O.T.
IA No. 226101/2026 - EXEMPTION FROM FILING O.T.
IA No. 156984/2026 - EXEMPTION FROM FILING O.T.
IA No. 225074/2026 - EXEMPTION FROM FILING O.T.
IA No. 156840/2026 - EXEMPTION FROM FILING O.T.
IA No. 224976/2026 - EXEMPTION FROM FILING O.T.
IA No. 224830/2026 - EXEMPTION FROM FILING O.T.
IA No. 225062/2026 - EXTENSION OF TIME
IA No. 224828/2026 - EXTENSION OF TIME
IA No. 218971/2026 - EXTENSION OF TIME
IA No. 225072/2026 - EXTENSION OF TIME
IA No. 222622/2026 - GRANT OF INTERIM RELIEF
IA No. 219127/2026 - INTERVENTION APPLICATION
IA No. 197522/2026 - INTERVENTION APPLICATION
IA No. 195996/2026 - INTERVENTION APPLICATION
IA No. 157127/2026 - INTERVENTION/IMPLEADMENT
IA No. 156982/2026 - INTERVENTION/IMPLEADMENT
IA No. 152528/2026 - INTERVENTION/IMPLEADMENT
IA No. 222619/2026 - INTERVENTION/IMPLEADMENT
IA No. 221472/2026 - INTERVENTION/IMPLEADMENT

IA No. 246449/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 193116/2026 - PERMISSION TO DEPOSIT COST (including in SCLSC)

IA No. 226098/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 226091/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 221473/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION

Date : 22-09-2026 This matter was called for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

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Mr. Saurabh Mishra, AoR

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Mr. S. D. Sanjay, Advocate General (Bihar)
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Mr. Divyansh Mishra, Adv.

Ms. Nidhi Mittal, AoR

Mr. Avdhesh Kumar Singh, A. A. G.

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Mr. Simranjit H. Virk, Adv.

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Mr. Rohit, Adv.

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Ms. Palak Singh, Adv.

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Mr. Talha Abdul Rahman, AoR
Mr. Sudhanshu Tewari, Adv.
Mr. Faizan Ahmed, Adv.
Ms. Vibha Swaminathan, Adv.

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Anuj Tyagi, AoR
Mr. Sachin Chopra, Adv.
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Ms. Astha Gupta, Adv.
Ms. Shreelekha Vyas, Adv.

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Mr. Daksh Kadian, Adv.
Mr. Aamir Hussain, Adv.
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Ms. Sweety Singh, Adv.
Ms. Archana Kumari, Adv.
Mr. Rahul Pandey, Adv.
Mr. Viplove Parashar, Adv.
Ms. Diksha Joshi, Adv.
Ms. Divya, Adv.
Mr. Harsh Kumar, Adv.

O R D E R

Before the Court took up the main matter, Mr. Rajdeep Rastogi, learned Senior Counsel, as an Officer of the Court, brought to its notice that coaching centers were operating from Commercial areas and were required to be relocated to the areas earmarked for

coaching institutes, which had been demarcated by the Government / Jaipur Development Authority itself. Pursuant thereto, and upon the matter being brought to the notice of the Court, the Authorities, particularly the Jaipur Development Authority, had issued notices to such coaching institutes to shift to the designated areas.

2. However, Mr. Rajdeep Rastogi, learned Senior Counsel, who is present in Court, submits that while returning, he received four missed calls, which he did not answer. The Secretary of the Welfare Society, who was also travelling with Mr. Rajdeep Rastogi, learned Senior Counsel, answered the phone, whereupon the caller threatened him with dire consequences. The matter was reported to the police and an FIR was registered on 12.09.2026. However, till date, nothing substantial appears to have been done. If that be the position, we take serious note of the same. An Officer of the Court or, for that matter, any person who assists the Court, must be able to discharge his duties without fear or apprehension. It is the duty of the Court to ensure that no harm comes to such person, and the Court would leave no stone unturned to protect such persons.

3. Accordingly, the Chief Secretary, State of Rajasthan, as well as the Director General of Police, Rajasthan, shall appear personally before this Court the day after tomorrow, when the matter shall be taken up in the post-lunch session, to apprise the Court of the up-to-date status and also to explain why there has been such slackness on the part of the Authorities concerned.

4. Mr. Ajit Kumar Sinha, learned *amicus curiae*, points out that in terms of the previous order of the Court, local site inspections

have been carried out in Delhi and Lucknow, in respect whereof a status report has been filed by him. Learned counsel appearing for IIT Delhi informs the Court that a report has also been filed pursuant to the inspection conducted. The same are taken on record. However, Mr. Ajit Kumar Sinha, learned *amicus curiae*, submits that the role of the New Delhi Municipal Council (NDMC) has not been cooperative, inasmuch as neither any assistance was provided nor was any responsible Officer present during the inspection.

5. At this juncture, Mr. K.M. Nataraj, learned ASG, submits that he shall ensure full cooperation on behalf of the NDMC in all respects and that there shall be no complaint from the learned *amicus curiae* in future. We are confident that the learned ASG would sensitise the NDMC, particularly its Commissioner, with regard to the seriousness of the matter and the strict view that the Court would take if there is even the slightest attempt not to cooperate.

6. By the next date, the entire exercise shall be completed and the learned *amicus curiae* is requested to submit a final report confined to the areas indicated in the previous order.

7. In terms of the order of this Court, Mr. Animesh Parashar, the then Municipal Commissioner, Patna Municipal Corporation and presently holding the post of Bihar Urban Infrastructure Development Corporation (BUDCO), has appeared in person and filed his reply to the show cause notice. He has tendered an unconditional and unqualified apology.

8. Having regard to the aforesaid, his personal appearance is

dispensed with, for the present.

9. Mr. Gopal Sankaranarayanan, learned Senior Counsel, submits that he has filed I.A. No. 277011/2026 and I.A. No. 290689/2026 with regard to the grievance of persons who neither fall within the category of unauthorised construction nor that of unauthorised use of the premises in question in Jaipur and Bhopal.

10. Let a copy of the same be served upon the learned *amicus curiae* as also upon the concerned Authority, as may be relevant for the said purpose. The learned *amicus curiae* is requested to look into the same and seek instructions from the Authorities.

11. Let a copy thereof be served by learned Senior Counsel upon learned counsel appearing for the States of Madhya Pradesh and Rajasthan.

12. As a large number of petitions have been filed by various parties, we request the respective parties to serve a copy thereof upon the learned *amicus curiae* as well as upon the learned counsel appearing for the concerned States. The learned *amicus curiae* shall file a report in respect thereof after obtaining instructions from the Authorities, and the Authorities are also directed to file a detailed response thereto. It is made clear that all Authorities/persons, whether private or official, shall extend full cooperation to the learned *amicus curiae* with regard to whatever information is sought or whatever assistance is required by him.

13. Mr. S.D. Sanjay, learned Senior Counsel appearing on behalf of the MCD, submits that the MCD has filed its compliance report. The same is taken on record.

14. Mr. K.M. Nataraj, learned ASG, has filed the SIT report in a sealed cover. The same is taken on record.

15. Ms. Kavitha Rameshwar Nithyanandam, learned AAG for the State of Tamil Nadu, submits that the proceedings pending before the regional authorities have been taken up on priority and five more Officers have been assigned for the purpose. It is submitted that almost 260 cases have been disposed of and the remaining cases are also likely to be disposed of within a few months. Having regard to the aforesaid, time is extended to the Authorities to complete the exercise by 07.11.2026.

16. Learned *amicus curiae* points out that the State of Uttarakhand has neither entered appearance nor deposited a sum of Rs. 50,000/- (Rupees Fifty Thousand), nor filed an affidavit in the proceedings till date. We take serious objection to such conduct. Accordingly, notice of contempt is issued against the Chief Secretary, State of Uttarakhand. He shall remain present before the Court on the next date of listing.

17. Mr. K.M. Nataraj, learned ASG appearing for the State of Madhya Pradesh, submits that by order dated 05.08.2026, this Court had stayed the resolution of the State Government appointing a Committee to examine certain issues relating to the Master Plan for the city of Bhopal and to submit a report. However, upon reconsideration, the Government has taken a decision to withdraw the said resolution and the proposal for constitution of the Committee.

18. We note the same and expect that the same shall be done within

one week.

19. For the present, the Authorities shall give priority to ensuring that no commercial activity takes place in areas earmarked exclusively for residential use.

20. Accordingly, the following directions are issued:

(i) For the present, the Authorities shall give priority to ensuring that in areas specifically shown as residential, where the permission granted by the State Government is only for residential use, no commercial activity takes place. If any commercial activity is found to be taking place in such areas, the premises shall, in the first instance, be sealed.

(ii) In areas which are not clearly specified for any particular use, such as commercial or residential use, the question of mixed use may also require consideration. However, for the time being, the status quo shall not be disturbed. Proceedings on paper may nevertheless continue.

(iii) With regard to any building/land/area in respect of which a *lis* may be pending, whether between private individuals concerning title or any other dispute, or between the Government and the concerned party, the pendency of such *lis* shall not come in the way of the Authorities sealing the premises if the use thereof is in violation of the purpose for which the land/building was allotted and for which the Competent Authority has sanctioned and approved the plan.

21. It is clarified that if it is found that any structure has come up wholly unauthorised and without any approval whatsoever

from any Authority, much less from the Competent Authority, the process of sealing/demolition, as may be required in accordance with law, shall also proceed.

22. We make it clear that all Authorities required to act in terms of the orders passed by this Court in the present proceedings shall carry out the exercise without any discrimination. If it is brought to the notice of the Court that the Authorities have resorted to any pick-and-choose approach, this Court shall take a strict view of the matter.

23. In some places, particularly Bhopal, the learned amicus curiae informs the Court that he has received information that on the one hand, the orders of this Court are not being fully complied with, while, on the other hand, they are also being selectively misused inasmuch as a building/complex/property is initially sealed but is thereafter unsealed within a few hours or days, without any intervening development, such as submission of a show-cause reply or a decision having been taken by the Authority.

24. At this juncture, Mr. K.M. Nataraj, learned ASG, submits that there may have been some confusion on account of the Government having constituting a Committee, which shall now be withdrawn and that the aforesaid issue may therefore no longer arise.

25. At this juncture, Mr. K.M. Nataraj, learned ASG, submits that the Master Plan for Bhopal has not been revised since the year 1995 and that the Government has now prepared a draft Master Plan. It is submitted that this Court may permit the same to be notified so that objections may at least be invited and the process may

proceed. However, it is assured that without the permission of this Court, the same shall not be finalized.

26. Having considered the same, we permit publication of the draft State Master Plan. We clarify that the test to be applied by the Authorities with regard to any property/construction shall be whether the same is in conformity with the existing Master Plan and the applicable building bye-laws of the Competent Authority.

27. After the order was dictated, learned counsel appearing for the State of Rajasthan sought time to take telephonic instructions from the Director General of Police, Rajasthan, on the issue. It is assured that strict action shall be taken in the matter within 24 hours. In view of the aforesaid assurance, for the present, the personal appearance of the Chief Secretary and the Director General of Police, Rajasthan, is dispensed with.

28. The Court is conscious of the fact that the learned amicus curiae has constituted a team for this work, which we realise is time-consuming and taxing. Thus, by way of honorarium, let a cheque for a sum of Rs. 10,00,000/- (Rupees Ten Lakhs) be issued in the name of Mr. Ajit Kumar Sinha, learned *amicus curiae*, by the Registry from out of the funds deposited by the States in the present matter, to meet the secretarial expenses and also as a token honorarium for the other members of the team.

29. List on 23.11.2026 at 2.00 p.m.

30. An up-to-date status report shall be filed by the States/Authorities one week before the next date of hearing, after serving a copy thereof upon the learned amicus curiae.

31. Learned *amicus curiae* is also requested to submit his consolidated report on the next date.

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR