GOVERNMENT OF MADRAS.
Department of Health, Education and Local Administration.
(Health).

Memorandum No.938-H-5/55-3, 7th April 1955.

Acts and Rules - Madras District Municipalities Act and the Building Rules Interpretation of the definition of the word 'building' and of the implication of section 215 of the Madras District Municipalities Act - Decisions of the High Court - Instructions issued.

READ--the following papers:-

From the Commissioner, Mangalore Municipality, dated 22nd November 1954, No. E-4-35582/54.
From the Director of Town Planning, dated 29th December 1954, Roc. No.10867/54-A-4.

Memorandum - No.938-H-5/55-3, Health, dated 7th April 1955.

In Letters Patent Appeals Nos. 100 and 101 of 1951 disposed of by the Division Bench of the Madras High Court on 7th April 1954, the Court has given the following interpretation of the definition of the word 'building' and of the implication of section 215 of the Madras District Municipalities Act.

The mere demolition and reconstruction of the walls on new foundations will not amount to reconstruction of a building. The word 'affect' in (the proviso to) Section 215 of the Madras District Municipalities Act should be given a liberal interpretation so as to mean materially and substantially affect and not technically or mathematically affect the dimensions of a building. The Director of Town Planning, the executive authorities of Municipalities and Panchayats are informed that the above interpretation should be given effect to when administering the Madras District Municipalities Act and the Building Rules.

K. GULAM MAHMOOD,
Joint Secretary to Government.

To
The Executive Authorities of Municipalities (through the Chairmen, Municipal Councils concerned) paragraph 1 only

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MUNICIPAL OFFICE, COIMBATORE,
Dated 9-6-1955.

Copy communicated to Town Planning Officer and Clerks in the Town Planning Section for information and necessary action.

(Sd.) T.A. Narasa Reddy,
Commissioner.

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R.Dis.No.48020/54/H1.

Municipal Office, Coimbatore,
Dated 21-6-1955.

Copy to all Building Inspectors and Town Planning ~~Officer~~ Supervisor for information. The G.O. must strictly be applied in Building cases.
The existing files must be disposed of, on these lines, early.

24 6.'55
TOWN PLANNING OFFICER.

TU/22-6-p.