

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE S.MANIKUMAR

W.P.No.14166 of 2015

&

M.P.No.1 of 2015

S.Dennison

.. Petitioner

Vs.

1. The District Collector,
Coimbatore Collectorate,
Coimbatore District-18.
2. The Executive Officer,
Vellalore Town Panchayat,
Coimbatore.
3. Member Secretary(I/c),
Coimbatore Local Planning Authority,
Coimbatore.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the entire records of the respondents ending with letter Na.Ka.No.1219 of 2015/HPC-1 dated 09.04.2015 sent by the third respondent and quash the same and direct the second respondent to pass appropriate orders within stipulated time relating to the building plan application dated 3.2.2015 submitted by the petitioner to the second respondent in respect of the property situate at Vellaore Village in Ka.Sa.No.548/1A New Ka.Sa.No.548/2B LG Nagar Phase II Site No.7 to an extent of 2645 square feet or 6 cents 31 square feet.

For Petitioner : Mr.S.D.S.Phillip
For Respondents : Mr.V.Subbiah
Special Govt. Pleader

O R D E R

(Order of the Court was made by S.Tamilvanan, J)

By consent on either side, the writ petition is taken up for final disposal at the admission stage itself.

2.The writ petition has been filed by the petitioner for issuance of a writ of Certiorarified Mandamus directing the second respondent to pass appropriate orders, within a stipulated time relating to the building plan application, dated 3.2.2015, submitted by the petitioner to the second respondent in respect of the property situate at Vellaore Village in Ka.Sa.No.548/1A New Ka.Sa.No.548/2B LG Nagar Phase II Site No.7 to an extent of 2645 square feet or 6 cents 31 square feet.

3.It is brought to the notice of this Court that on 12.11.2014 in W.P.No.28399 of 2014, this Court passed an order, which reads as follows:

4.Since the petitioner is claiming that he has already applied, the petitioner is granted liberty to the petitioner to submit a copy of the application submitted on 25.08.2014 before the appropriate authority within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the concerned respondent is directed to process the same and pass orders in accordance with law, within a period of four weeks therefrom. Till orders are passed as directed above, status quo as on date shall be maintained by all concerned.

4.Learned counsel for the petitioner drew the attention of this Court to the order passed by the third respondent dated 09.04.2015, wherein no details available about the documents, which are needed for passing appropriate orders. Therefore, we are of the considered view that when the respondents are in need of certain documents from the petitioner, they could have specifically stated about the documents required for passing appropriate orders.

5.Having considered the submission made by the learned counsel for the petitioner, we find it just and reasonable to set aside the order. However, the respondents are directed to pass appropriate orders, after providing reasonable opportunity to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. Till orders are passed as directed above, status quo as on date shall be maintained by both the parties.

6.With the above direction, the writ petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.
kal/vga

Sd/-
Vacation Officer

//True Copy//

Sub-Assistant Registrar

To

1. The District Collector,
Coimbatore Collectorate,
Coimbatore District-18.

2. The Executive Officer,
Vellalore Town Panchayat,
Coimbatore.

3. Member Secretary(I/c),
Coimbatore Local Planning Authority,
Coimbatore.

+ 1 cc to Mr.S.D.S.Phillip, Advocat SR 24923

+ 1 cc to Govt.Pleader, SR 24980

ku(Co)
prk12/5



W.P.No.14166 of 2015

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