

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.418 of 2013
and
M.P.No.1 of 2013

1.M.Kolandavel
2.Sellammal
3.Muniyayee

... Petitioners

Vs.

1.The Deputy Director of Town and
Country Planning,
Office of the Deputy Director of Town and
Country Planning,
Salem.
2.The No.12, Modamangalam Village Panchayat,
rep by its President,
Modamangalam,
Korakkattampalayam,
Tiruchengode Taluk,
Namakkal District.
3.No.11 Padaveedu Village Panchayat,
rep by its President,
Goundanur,
Tiruchengode Taluk,
Namakkal District.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the respondents to forthwith consider and pass orders, on the representation of the petitioners, dated 27.11.2012, within a stipulated time.

For Petitioner : Mr.K.Selvaraj

For Respondents: Mr.P.Sanjai Gandhi, AGP for R-1
No appearance for RR2 and 3

ORDER

Heard.

2 This writ petition has been filed by the petitioners, praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioners, dated 27.11.2012, and pass appropriate orders thereon.

3 In the representation of the petitioners, dated 27.11.2012, they had requested the first respondent not to approve the layout plan, in respect of S.Nos.89/3, 89/5, 90 and 100 of Modamangalam Village, Tiruchengode Taluk and in S.Nos.459/3, 459/7 and 459/8 of Padaveedu village, Tiruchengode Taluk, Namakkal District.

4 A counter affidavit, dated 12.7.2013, had been filed on behalf of the first respondent. In paragraph 13 of the said counter affidavit, it had been stated that the first respondent does not know if the petitioners are the true owners of the land in question and that there is no application presented or pending before the first respondent, for approval of the layout, in respect of the said lands. In paragraph 14 of the said counter affidavit, it had been stated that the first respondent had initiated action against one P.A.Madeshwaran, son of Arumuga Asari, calling upon him to apply for the approval of the layout, as per the procedures established by law. It had also been stated that the allegation of the petitioner that the first respondent is allowing trespassers into the land belonging to the petitioner is false.

5 In view of the said averments made in the counter affidavit filed on behalf of the first respondent, this Court is of the view that no further orders are necessary in the present writ petition. Hence, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

vvk

To

The Deputy Director of Town and Country Planning,
Office of the Deputy Director of Town and
Country Planning,
Salem.

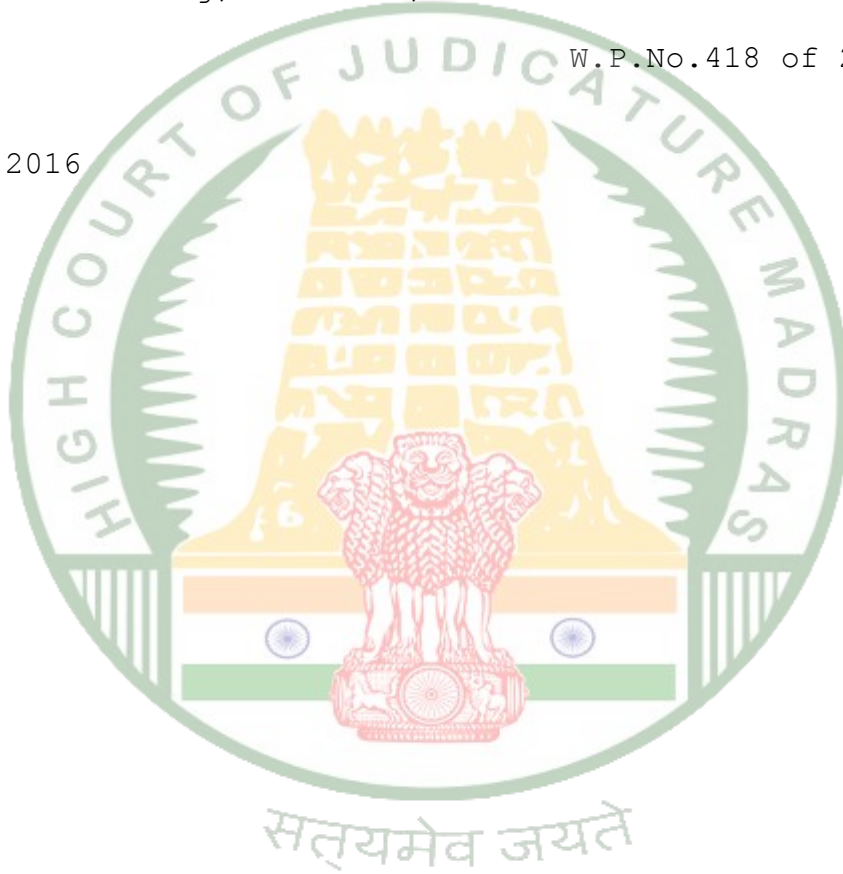
1 cc to Government Pleader, sr.51300

1 cc to Mr.K.Selvaraj, Advocate, sr.51224

W.P.No.418 of 2013

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