

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2016

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.27322 of 2013

1.Peter Anthonyraj
2.Shivani Sharma ... Petitioners

Versus

1.The State of Tamil Nadu rep. by its Director
Office of the Town and Country Planning
No.807, Anna Salai,
Chennai.

2.President of Urapakkam Panchayat
No.8, Ayyancheri Village,
Chengalpattu,
Kanchipuram. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated nil and pass orders in accordance with the circular issued by first respondent in Roc.No.2165/91-LA1 dated 30.05.1991.

For Petitioner : Mrs.Selvi George

For R1 : Mrs.M.E.Rani Selvam
Additional Government Pleader

For R2 : No Appearance

O R D E R

Heard Mrs.Selvi George, learned counsel appearing on behalf of the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader on behalf of the first respondent.

2.The first petitioner is the owner of Plot No.3 and second petitioner is the owner of Plot No.4 in an approved lay out

namely Madurai Meenakshipuram extension at No.8, Ayyancheri Village, Chengalpattu Taluk, Kanchipuram District. The petitioners have purchased the above said lands through a registered sale deed No.8975 of 2011 and 8978 of 2011 respectively. When the petitioners approached the first respondent seeking for a building plan approval, the first respondent kept the application pending on the ground that the lands purchased by the petitioners were reserved for public purposes. The petitioners had also given representation to the first respondent seeking for the building plan approval on the ground that, there is a circular issued by the first respondent dated 30.05.1991 for converting the lands reserved for public purposes into a saleable residential plots. Though the first respondent had received such representation of the petitioners, no orders have been passed and the petitioners are before this Court with this present Writ Petition.

3. Under such circumstances, and in view of the limited prayer sought for in this Writ Petition, there shall be a direction to the first respondent to consider the petitioner's representation received by the first respondent on 01.07.2013 on its own merits and in the light of the circular issued by the Director of Town and Country Planning in Roc.No.2165/91-L.1 dated 30.5.1991 and pass orders in accordance with law within a period of six weeks from the date of receipt of copy of this order.

4. With the above observation, the Writ Petition is allowed. No Costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Director,
The State of Tamil Nadu
Office of the Town and Country Planning
No.807, Anna Salai,
Chennai.

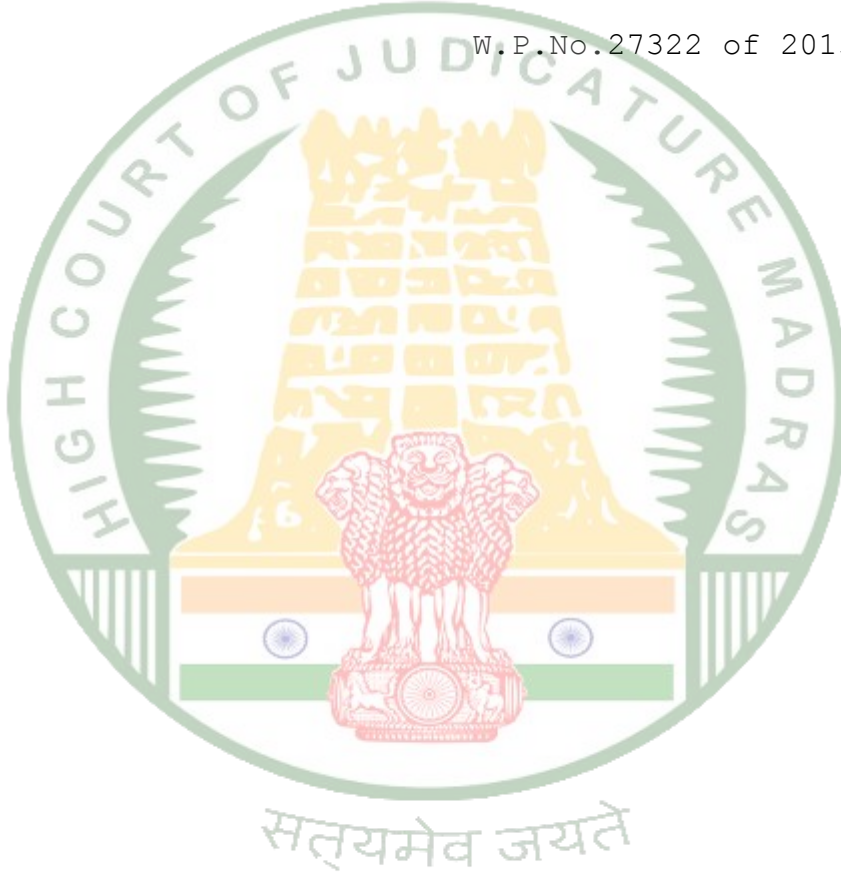
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2. The President
Urapakkam Panchayat
No.8, Ayyancheri Village,
Chengalpattu Village,
Kanchipuram.

+1cc to Mr.Selvi George, Advocate, S.R.No.69291
+1cc to the Government Pleader, S.R.No.69628

ala(CO)
md(20/12/2016)

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