

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.3.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.9902/2016

R.Sasisuresh

..Petitioner

Vs.

1 The District Collector
Nilgiris District.

2 Arul Marry

3 The President
Thennadu Village Panchayat Kothagiri Taluk
Nilgiris District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to dispose of the appeal dated 27.07.2015 filed by the petitioner before the first respondent under Rule 29(2) of the Tamil Nadu Panchayats Buildings Rules 1997 against the building plan approval given by the 3rd respondent to the 2nd respondent near the petitioner house in Survey No.296/9 Tenadu Panchayat Village Kilkothagiri Kothagiri Taluk Nirgiris District.

For Petitioner : Dr.Vasudevan for
Mr. V.Chinnasamy

For Respondent 1 : Mr.R.Rajeswaran
Special Government Pleader

For Respondent 3 : Mr.P.Sanjay Gandhi
Special Government Pleader

ORDER

The petitioner has filed this writ petition praying for the issuance of the writ of mandamus to dispose of the appeal dated 27.07.2015 filed against the order granting planning permission in favour of the 2nd respondent.

2. The petitioner's appeal petition has been sent by registered post and received by the office of the 1st respondent on 01.08.2015 as could be seen from the postal acknowledgment.

3. When the case came up for admission on 17.3.2016, Mr.P.Sanjay Gandhi, learned Special Government Pleader accepted notice for 3rd respondent and prayed for a days adjournment stating that the officials of the panchayat are meeting him with the necessary instructions. Today, when the matter is called, the learned Special Government Pleader does not have any instruction.

4. Considering the limited scope of the relief sought for, there will be a direction to the first respondent to consider the petitioner's appeal petition dated 27.07.2015 on merits and in accordance with law after notice to the petitioner and the second respondent and pass orders within a period of 8 weeks from the date of receipt of a copy of this order. The petitioner is directed to enclose a copy of the appeal petition along with the copy of the order and forward the same to the first respondent.

5. Writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

kua

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To:

1. The District Collector,
Nilgiris District.
2. The President,
Thennadu Village Panchayat Kothagiri Taluk
Nilgiris District.

+ 1 cc to Mr.V.Chinnasamy, Advocate Sr 17951

+ 1 cc to The Govt.Pleader, Sr 17740

KR/29/3/16

W.P.No.9902/2016