IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2017

CORAM

THE HON'BLE Mr. JUSTICE **M.M.SUNDRESH**

W.P.No.25970 of 2014
and
M.P.No.1 of 2014

1.V.Mani
2.M.Nazarsait
3.S.Dhanalakshmi
4.V.Selvaraj
5.R.Rangasamy
6.R.Vijaya
7.V.Palanisamy .. Petitioners

Vs

1.The Director,
Town and Country Planning
Authority,
807, Anna Salai, Chennai.

2.The Commissioner,
Town Planning Authority,
Coimbatore Division,
Coimbatore.

3.The President,
Sikkarampalayam Village,
Mettupalayam Taluk,
Coimbatore District.

4.M/s.V.G.P. Housing Private Limited

rep. by its Managing Director
V.G.P.Rajadass .. Respondents

Writ petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing respondents 1 to 3 to direct the fourth respondent to execute gift deed in favour of the third respondent gifting public utility places which were earmarked for park (87264 sq.ft.) children school (16508 sq.ft.) community hall (11500 sq.ft.) public utility building (10950 sq.ft.) and shops (10746 sq.ft.) apart from roads and passages as shown in the layout approval order made in LP/DTP 171/2000 of the second respondent and further direct the first respondent to initiate penal action against the fourth respondent for not complying the terms and conditions of the layout approval order made in LP/DTP 171/2000 of the second respondent.

For Petitioner .. Mr.SU.Srinivasan

For Respondents .. Mr.R.A.S.Senthilvel,
Addl. Govt. Pleader for R1 to R3
Mr.Shivakumar for R4

ORDER

The petitioner has come forward to file this writ petition with the grievance that the fourth respondent is not complying with the

conditions imposed in the technical approval issued by the Special Commissioner of Town and Country Planning in favour of the executive authority through a gift deed.

2.In the counter affidavit filed by the second respondent, the following stand has been taken:

> *"The Hon'ble High Court may be pleased to direct the 4th respondent to fulfil the conditions imposed in the technical approval issued by the Special Commissioner of Town and Country Planning and hand over the road, park, play field etc., to the executive authority through gift deed, so that approval for the construction of individual houses in the said layout can be facilitated by the executive authority."*

3.Learned counsel appearing for the fourth respondent would submit that the communication dated 20.06.2017 has already been sent by the said respondent in favour of the second respondent stating that appropriate steps would be taken to register the gift deed subject to the approval of the second respondent.

4.Learned Additional Government Pleader appearing for respondents 1 to 3 has submitted that necessary approval will be

given within a period of two weeks from the date of receipt of a copy of this order. Learned counsel appearing for the fourth respondent would submit that within a period of eight weeks thereafter, the sale deeds will be executed.

5.Recording the aforesaid submission made by the respective counsels, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.06.2017

Index:Yes/No
mmi

Note: Issue copy of the order on 27.06.2017

To

1.The Director,
Town and Country Planning
Authority,
807, Anna Salai, Chennai.

2.The Commissioner,
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Coimbatore Division,
Coimbatore.

3.The President,
Sikkarampalayam Village,
Mettupalayam Taluk,
Coimbatore District.

M.M.SUNDRESH, J.

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W.P.No.25970 of 2014

21.06.2017

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