

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.33428 of 2015

M/s.Tea Services India Private Limited
Suprajith Tea Factory,
The Nilgiris 643 217.

... Petitioner

-Vs-

1. The Government of Tamilnadu,
Rep. by its Secretary,
Municipal Administration and Water
Supply Department, Secretariat,
Chennai 600 009.
2. The Director,
Town and Country Planning,
No.807, Anna Salai, Chennai.
3. The Deputy Director,
Town and Country Planning,
Nanjappa Road,
Coimbatore 641 018.
4. The Executive Officer,
Kotagiri Town Panchayat,
Kotagiri, The Nilgiris 643 217.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2nd and 3rd respondents herein to consider the petitioner's Building Appeal Plan Application dated 09.04.2012 on merits within the time fixed by this Court.

For Petitioner : Mr.L.Mouli

For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks a writ of mandamus against the second and third respondents / Town and Country Planning authorities to consider the petitioner's Building Appeal Plan application dated 09.04.2012 on merits.

2.The counter-affidavit in para 10 states that the application submitted by the petitioner was incomplete and was returned. No date has been specified for the same and in what manner it is incomplete has also not been specified. The counter-affidavit is, thus, vague on the crucial issue.

3.We, thus, direct the third respondent / Deputy Director, who has affirmed the affidavit, to inform the petitioner in writing as to when the application was returned, the proof of return and what are the deficiencies for which it was returned. The needful be done within fifteen (15) days from today.

4.If the application has been returned, then it can be re-submitted by the petitioner after removing the alleged deficiencies and thereafter, the case of the petitioner will be examined and decision taken on the same within a maximum period of three (3) months of the re-submission of the application.

Writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Secretary to Govt. of Tamilnadu,
Municipal Administration and Water
Supply Department, Secretariat,
Chennai 600 009.

2. The Director,
Town and Country Planning,
No.807, Anna Salai,
Chennai.

3. The Deputy Director,
Town and Country Planning,
Nanjappa Road,
Coimbatore 641 018.

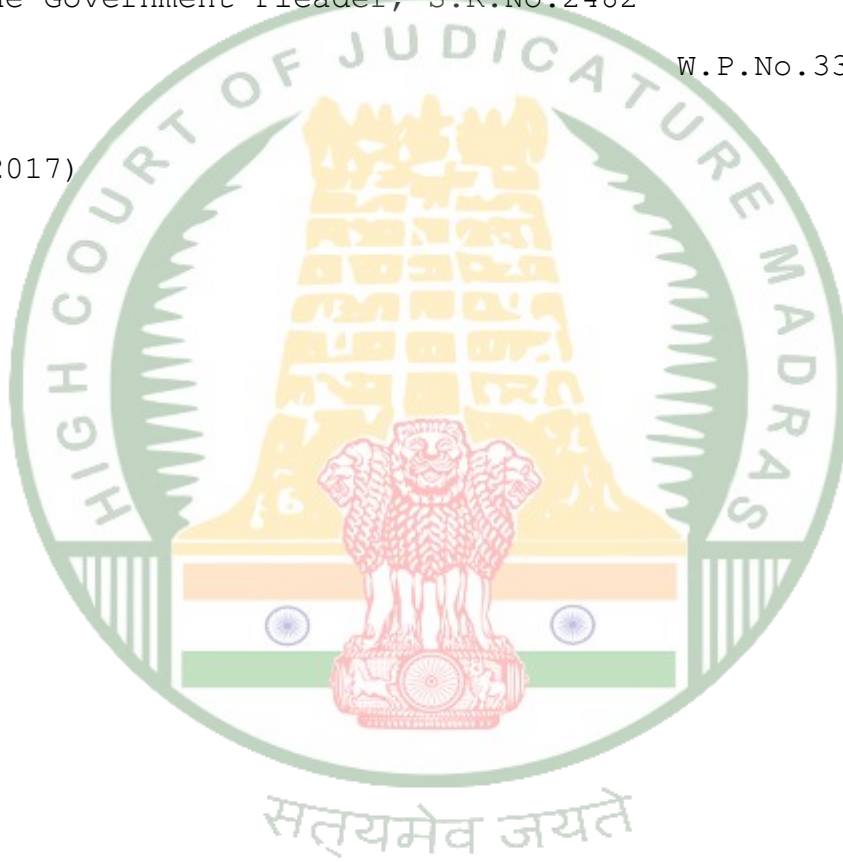
4. The Executive Officer,
Kotagiri Town Panchayat,
Kotagiri, The Nilgiris 643 217.

+lcc to Mr.C.Mouli, Advocate, S.R.No.2527

+lcc to the Government Pleader, S.R.No.2482

W.P.No.33428 of 2015

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CA(24/01/2017)



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