



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.11511 of 2017

WEB COPY

N.Saravanan

... Petitioner

Vs.

1.The Deputy Director of Town and Country Planning,
Ramnad - Pudukottai Region,
Sivagangai, Sivagangai District.

2.The Commissioner
Paramakudi Municipality,
Paramakudi
Ramanathapuram District.

3.K.John Peter Raj
(R3 impleaded vide court order dated 02.08.17 in
WMP(MD)Mo.11252 of 17) ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider and pass orders on the representation dated 27.01.2017 made in regard to construction of house at Town Survey No.39/1A1A1-19 in Kattuparamakudi Village comprised in Survey No.92/1.

For Petitioner : Mr.S.Vallinayagam,
Senior Counsel
For Mr.G.Thalaimutharasu
For Respondents : Mr.J.Gunaseelan Muthiah,
- for R1
Government Advocate
: Mr.M.Kannan - for R2
: Mr.Mareeskumar,
For M/s.Ajmal Associates - for R3

ORDER

This writ petition has been filed, seeking to direct the second respondent to consider and pass orders on the representation dated 27.01.2017, with regard to construction of house.

<https://hcservices.ecourts.gov.in/hcservices/> By consent, the writ petition is taken up for final disposal.

3. Heard the learned Counsel on either side.

4. The case of the petitioner is that for construction of



the same was objected to, by the third respondent stating that the said Survey number is a park. Since no action has been taken, the petitioner is before this Court with the above prayer.

5. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 27.01.2017 may be directed to be considered by the second respondent on the basis of the approved plan, within a reasonable time stipulated by this Court.

6. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the second respondent, to consider the representation of the petitioner dated 27.01.2017, on the basis of the approved plan, if any, and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Deputy Director of Town and Country Planning,
Ramnad - Pudukottai Region,
Sivagangai, Sivagangai District.

2. The Commissioner
Paramakudi Municipality,
Paramakudi
Ramanathapuram District.

+1cc to Mr.G.THALAIMUTHARASU, Advocate, SR.94410
+1cc to M/S.AJMAL ASSOCIATES, Advocate, SR.94393
+1cc to Mr.M.KANNAN, Advocate, SR. 94708
+1cc to M/S.Special Government Pleader, SR. 94785