



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2017

WEB COPY

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No. 25034 of 2016

D. Vetha Manickam

.. Petitioner

vs.

1. The District Collector,
Nagercoil, Kanyakumari District.

2. The Executive Officer,
Kothanallur Town Panchayat,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the 2nd respondent to issue building plan approval for the constructed house in Resurvey No.446/13 measuring 70.395 cents at Kothanallur village, Kalkulam Taluk, Kanyakumari District, on the basis of the proceedings in Na.Ka.No.M2/28053/2015 issued by the 1st respondent dated 26.03.2015.

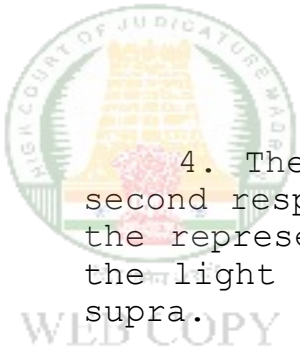
For Petitioner	: Mr. R.J.Karthick
For Respondent No.1	: Mr. A. Muthukaruppan Additional Government Pleader
For Respondent No.2	: Mr. S. Kumar Additional Government Pleader

O R D E R

The petitioner seeks for a mandamus directing the second respondent to issue building plan approval for the house at Survey No.446/13 measuring 70.395 cents at Kothanallur village, Kalkulam Taluk, Kanyakumari District.

2. Heard both sides.

3.It is the case of the petitioner that even though the second respondent has rejected the request earlier, the first respondent through proceedings dated 26.03.2015 directed the second respondent to grant approval to the petitioner, since there is no necessity for issuing No Objection Certificate from the Office of the Collector. Ventilating such grievance, the petitioner has made a representation on 07.11.2016 to the second respondent and the said representation is still pending.



4. The learned Additional Government Pleader appearing for the second respondent submitted that the second respondent will consider the representation of the petitioner and pass appropriate orders in the light of the order passed by the District Collector as stated supra.

5. Recording the above said submission of the learned Additional Government Pleader, this writ petition is disposed of with a direction to the second respondent to consider the representation of the petitioner dated 07.11.2016 and pass appropriate orders on the same also by taking note of the communication dated 26.03.2015 issued by the District Collector. Such exercise shall be done within a period of four weeks from the date of receipt of copy of this order. No costs.

Sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To,

1. The District Collector,
Nagercoil,
Kanyakumari District.

2. The Executive Officer,
Kothanallur Town Panchayat,
Kanyakumari District.

+1CC to M/S.R.J.Karthick, Advocate, SR.No. 3949
+1CC to the Special Government Pleader, SR.No. 4161

W.P(MD)No. 25034 of 2016
24.01.2017

CM
AM/SKN RSK/SAR-3/06.02.2017/2P/5C