



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.13941 of 2013

V.Anjeswari

... Petitioner

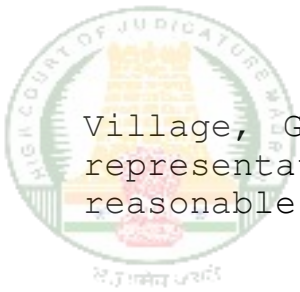
Vs.

1. The Secretary to Government,
Rural Development & Panchayats,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
2. The Commissioner,
Town and Country Planning,
No.807, Anna Salai,
Chennai 6 00 002.
3. The Director of Town and Country Planning,
Office of the Director of Town and
Country Planning, Chennai.
4. The District Collector,
Pudukkottai District.
5. The Joint Director,
Town and Country Planning Sivagangai,
No.430, Gandhi Street,
Sivagangai District.
6. The Superintendent of Police,
Sivagangai, Sivagangai District.
7. The Panchayat President,
Punalkulam Village Panchayat,
Punalkulam, Pudukkottai District.

8.R.A.Mohamed Mohideen

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the Respondents 1 to 6 herein to initiate statutory action against the respondents 7 and 8 herein for violation in the formation of lay outs of Roja Garden in S.No. 261/4B, Punalkulam



Village, Gandarvakkottai Taluk, Pudukkottai District, as per the representation of the petitioner dated 02.08.2013 within a reasonable time as may be fixed by this Court.

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For Petitioner : Mr.B.Jameel Arasu
For Respondents - 1 to 6 : Mr.M.Alagathevan,
Special Government Pleader
For Respondent - 7 : Mr.N.Balakrishnan
For Respondent - 8 : Mr.G.Prabhurajadurai

ORDER

This writ petition has been filed, seeking a Writ of Mandamus directing the respondents 1 to 6, to initiate statutory action against the respondents 7 and 8 for violation in the formation of lay outs of Roja Garden in S.No. 261/4B, Punalkulam Village, Gandarvakkottai Taluk, Pudukkottai District, as per the representation of the petitioner dated 02.08.2013.

2.Heard both sides.

3.By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4.The learned counsel for the petitioner submitted that the petitioner, being a purchaser of a plot in the lay out namely Roja Garden, formed by the eighth respondent, has sent a representation to the respondents 1 to 7, alleging that the above lay out has not been formed as per the Town and Country Planning Act and requested them to take action against the seventh and eighth respondents. Since no action was taken by the authorities, the petitioner is before this Court.

5.The learned Special Government Pleader appearing for the respondents 1 to 6, on instructions submitted that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

6.Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondents 1 to 6, to consider the representation of the petitioner dated 02.08.2013 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.



7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(AS)

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/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Rural Development & Panchayats,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
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Sivagangai, Sivagangai District.
7. The Panchayat President,
Punalkulam Village Panchayat,
Punalkulam, Pudukkottai District.

+ 1 cc TO Mr.B.Jameel Arasu , Advocate in SR No. 93378
+ 1 cc TO The Special Government Pleader in SR No. 93584

dsk

AE/KKR/SAR2/04.01.2018/3P/10C