

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.5395 of 2018
and W.M.P.Nos.6632 & 6633 of 2018

R.Vasudevan

...Petitioner

Versus

1. Directorate of Town and Country Planning,
Represented by its Director,
Opposite to LIC, Chengalvarayan Building,
Fourth Floor, No.807, Anna Salai,
Chennai-600 002.
2. The Deputy Director,
Town and Country Planning,
No.83,Pidamenari Road,
Appavoo Nagar,
Dharmapuri-636 702.
3. The Member Secretary,
Hosur New Town Development Authority,
No.35/A, Nataji Road,
1st Floor, Madurai Bank Building,
Hosur-635 109.
4. The District Collector,
Collector Office,
Hosur Salai,
Krishnagiri-635 115.

5. Chandraiah

6. C.Suvarna

7. G.R.Anand Babu

8. Neelima

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking a Writ of Certiorarified Mandamus calling for the records on the file of the 1st Respondent, relating to the Converted Approved Plan No.07/2016 dated

25.07.2016 and to quash the same as illegal, arbitrary and devoid of merits and consequentially direct the 1st respondent herein to re-allot the Approved Plan to the petitioner, in accordance with the Original Layout Plan No.56/1984.

For Petitioner : Mr.P.Wilson
Senior Counsel
for Mr.A.Saravanan

For RR1 to 4 : Mr.V.Shanmugasundar
Special Government Pleader

For RR5 to 8 :No appearance

O R D E R

Heard Mr.P.Wilson, learned Senior Counsel for Mr.A.Saravanan, learned counsel appearing for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents 1 to 4. Despite service of notice, none appears for respondents 5 to 8.

2.This writ petition has been filed challenging the conversion of the school site in the approved layout into residential site by the first respondent, by an order dated 25.07.2016.

3.The learned Senior Counsel appearing for the petitioner submitted that aggrieved over the order of the first respondent, the petitioner has filed a representation before the third respondent to conduct an enquiry. He further submitted that the petitioner would be satisfied, if a direction is given to the 3rd respondent to conduct an enquiry in a time frame.

4.The learned Special Government Pleader appearing for respondents 1 to 4, by referring the counter filed by the 3rd respondent, submitted that the conversion was granted based on the recommendations of the Empower Committee. He would further submit that the representation of the petitioner dated 04.01.2018 would be disposed of in accordance with law.

5.In the light of the above submissions made by the learned counsel on either side, this Court without going into the merits of the case, directs the 3rd respondent to dispose of the petitioner's representation dated 04.01.2018 on merits in accordance with law, after affording due opportunity to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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+1cc to Mr.A.Saravanan, Advocate, S.R.No.21600

+1cc to the Government Pleader, S.R.No.21859

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PVs (CO)
RRK(11/04/2018)