

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.11.2018
CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN
W.P. 20801 of 2018

P.Subramani

... Petitioner

Vs

1. The Deputy Director of Town
and Country Planning,
Salem Region,
Salem.

2. Block Development Officer,
Dharapuram Panchayat Union,
Special Officer for Goundachipudur
Panchayat,
Dharapuram Taluk,
Dharapuram.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to complete the entire process of regularisation of plots in "Sibi Garden" comprised in Re-survey Nos.82/2, 3, 5 Part, 6 Part, 7, 8, 9, 83/1, 84/1, 84/2, 84/3A, 84/3B, 84/3C and 84/3D having an extent of 5.87 acres situated in Sittharavuthuththanpalayam, Goundachipudur Panchayat, Dharapuram Taluk in Tiruppur District as per the order in Na.Ka.No.7022/2017-Se/Ma.3, dated 21.05.2018 passed by 1st respondent, Regional Planning Authority viz., Deputy Director of Town and Country Planning, Salem Region, within a reasonable period to be fixed by this Hon'ble Court.

For Petitioner : Mr.P.Wilson, Senior Adv.
For Mr.R.Neelakandan

For Respondents : Mr.V.Prabhu,
Government Pleader for R1
Mr.V.Kadhirvelu,
Special Government Pleader
for R2

O R D E R

This Writ Petition has been filed seeking for a direction to the 2nd respondent to issue a consequential proceedings regularising the house site in pursuant to the order passed by

the 1st respondent dated 21.05.2018.

2. According to the petitioner, he has formed a layout in various Re-Survey Nos.82/2, 3, 5 Part, 6 Part, 7, 8, 9 83/1, 84/1, 84/2, 84/3A, 84/3B, 84/3C and 84/3D at Sittharavuththanpalayam, Goundachipudur Panchayat, Dharapuram Taluk and he has also executed a gift deed in respect of the area reserved for open space reserved to the local body. Subsequently, due to the pendency of a Writ proceedings, it was not regularised. Finally, the 1st respondent by an order dated 21.05.2018, granted a policy approval for regularising the above said plans and also directed the petitioner to pay the regularisation charges before the 2nd respondent, and formal approval of the house sites has been passed by the 1st respondent, and the petitioner has also paid the entire amount. Thereafter, the petitioner's representation dated 20.05.2018 sent to the 2nd respondent requesting to regularise the same was not considered and no order has been passed. Hence, the present Writ Petition has been filed by the petitioner.

3. Mr. P.Wilson, learned Senior Counsel appearing for the petitioner submitted that even though the 1st respondent has passed an order as early as on 21.05.2018 fixing the amount for regularisation, and in pursuant to the same, the petitioner has also paid the amount on 27.06.2018, but, so far, no order has been passed by the 2nd respondent.

4. Mr. V.Kadhirvelu, learned counsel appearing for the 2nd respondent, on written instructions, submitted that in pursuant to the order passed by the 1st respondent, they have to verify the property, and required 60 days time to pass suitable order, and also produced the written instructions given by the 2nd respondent.

5. Considering the above facts and circumstances, the 2nd respondent is directed to consider the representation of the petitioner and pass suitable orders pursuant to the order passed by the 1st respondent dated 21.05.2018 within a period of eight weeks from the date of receipt of the copy of this order. With the said direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Deputy Director of Town
and Country Planning,
Salem Region,
Salem.
2. Block Development Officer,
Dharapuram Panchayat Union,
Special Officer for Goundachipudur
Panchayat,
Dharapuram Taluk,
Dharapuram.

+1cc to Mr.V.Kadhirvelu, Advocate, S.R.No.79990

+1cc to Mr.R.Neelakandan, Advocate, S.R.No.79730

+1cc to the Government Pleader, S.R.No.79936

W.P. 20801 of 2018

GSP(11/01/2019)



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