

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 24.01.2018  
CORAM  
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.30366 of 2013

K.Vadivelu

...Petitioner

Versus

1.The Deputy Director,  
Department of Town and Country Planning,  
Vellore Division,  
239, Phase II, Sathuvachari,  
Vellore -9.

2.The Commissioner,  
Department of Town and Country Planning,  
807, Anna Salai,  
Chennai -2.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1<sup>st</sup> respondent to forward the petitioner's application returned as per the letter of 2<sup>nd</sup> respondent dated 03.06.2013 along with the enclosure to the 2<sup>nd</sup> respondent and further direct the 2<sup>nd</sup> respondent to consider and dispose of the petitioner's application for approval of layout along with the petitioner's representation dated 24.08.2013 to the respondents within a time limit.

For Petitioner : Mr.T.S.Baskaran

For Respondents : Mr.B.Anand  
Government Advocate

O R D E R

This writ petition has been filed seeking for issuance of writ of mandamus, directing the first respondent to forward the petitioner's application to the second respondent and further direct the second respondent to consider and dispose of the petitioner's application for approval of layout along with the petitioner's representation dated 24.08.2013.

2. The case of the petitioner is that he along with his wife and son owned land in S.Nos. 854/3, 854/4, 854/5, 854/6A, 854/6B in Mosur Village, Arakonam Taluk, Vellore District, measuring 8.73 acres and they have decided to develop the same by forming a layout. In this regard, they

have submitted an application along with layout plan and necessary documents to the President of Mosur Panchayat to be forwarded to the first respondent.

3.The petitioner has further stated that they have furnished all the required documents to the first respondent. By a letter dated 03.06.2013, the second respondent had returned the application for want of some more particulars, which were also furnished to the first respondent on 13.07.2013. Since, no action was taken, present writ petition.

4. Mr.T.S.Baskaran, learned counsel appearing for the petitioner submitted that the petitioner after receiving the letter dated 03.06.2013, had furnished all the necessary documents to the first respondent, but subsequently there is no progress. Further, after filing this writ petition, a communication has been sent stating that the application is returned.

5. Mr.B.Anand, learned Government Advocate appearing for the respondents, based on instructions, submitted that the application of the petitioner was returned by the second respondent seeking some more particulars from the petitioner. Therefore, the first respondent sent a letter dated 03.06.2013 to the petitioner, insisted of taking back the entire application and resubmit with required particulars, the petitioner has come to this Court. It is further submitted that the entire papers are with the first respondent and if the application is resubmitted, it would be considered in accordance with law.

6. In the light of the above facts and submissions made by the learned counsels, the petitioner is directed to get back the application from the first respondent, within a period of two weeks and resubmit the application to the first respondent, after complying the defects. On such compliance the respondents shall take appropriate action and pass orders on merits and in accordance with law, within a period of four weeks there from.

7. With the above directions, this writ petition stands disposed of. However, there shall be no order as to costs.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

ms

To

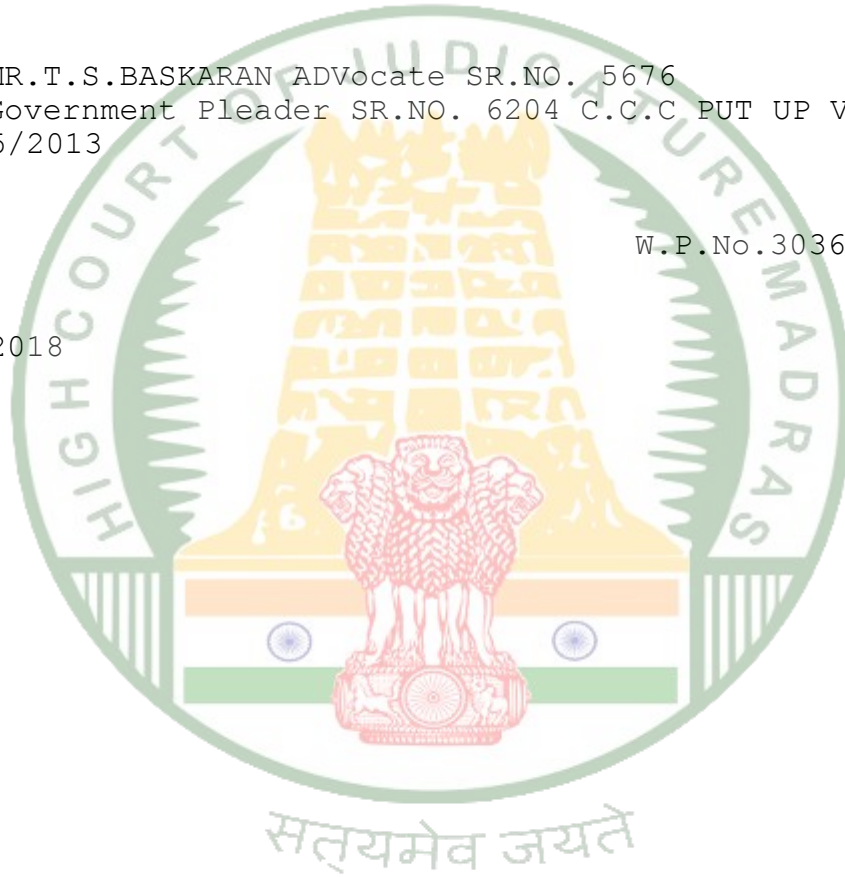
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+2 cc to MR.T.S.BASKARAN ADVocate SR.NO. 5676  
+1 CC TO Government Pleader SR.NO. 6204 C.C.C PUT UP VIDE IN  
WP.30365/2013

W.P.No.30366 of 2013

RD 17/02/2018



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