

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.22424 of 2016

K.Panneer Selvi Kumar

.. Petitioner

Versus

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Assistant Director,
Town Country Planning,
Villupuram.

3.The Commissioner,
Panruti Municipality,
Panruti, Cuddalore District.

4.R.Mohamed Ibrahim
(R4 is impleaded as per order dated
30.8.2016 in WMP.No.23164/2016
in W.P.No.22424 of 2016)

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to take necessary action on basis of the notice dated 08.10.2015 issued by the 3rd respondent to the Real Estate owner in respect of the house sites of his unapproved layout named as Iswaryam Nagar in T.S.No.5/2, 5A5 and 6/2 extending 3 acre 10 cents of Wet land at Panruti Municipal Limit, Cuddalore District.

For Petitioner : Mr.C.S.Dhanasekaran

For Respondents : Mr.N.Inbanathan

Additional Government Pleader for R1 & R2

Mr.P.V.Selvakumar, for R3

Mr.P.Gurunathan, for R4

O R D E R

The prayer sought for in this writ petition is for a direction, to the respondents to take necessary action on the basis of the notice dated 8.10.2015, issued by the third respondent.

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Heard Mr.C.S.Dhanasekaran, learned counsel for the

petitioner, Mr.N.Inbanathan, learned Additional Government Pleader for the respondents 1 and 2, Mr.P.V.Selvakumar, learned counsel for the third respondent, Mr.P.Gurunathan, learned counsel for the fourth respondent and perused the material documents available on record.

3.The case of the petitioner is that the fourth respondent has formed an unapproved layout in T.S.Nos.5/2, 5A5 and 6/2, to an extent of 4.94 acres. Hence, the petitioner earlier filed a writ petition in W.P.No.21040 of 2015, seeking for a direction to the respondents 1 to 3, to consider his representation dated 30.5.2015. The further case of the petitioner is that, pursuant to the order passed in the earlier writ petition dated 14.7.2015, the third respondent issued a notice dated 8.10.2015, directing the fourth respondent to remove the unapproved layout and get approval from the authorities concerned by filing a necessary application. Since no follow up action has been taken, the present writ petition.

4. The learned counsel for the petitioner would submit that the fourth respondent has formed a layout in the wet land and the Assistant Director of Town and Country Planning, has no power to grant approval to the land of the fourth respondent.

5. The Additional Government Pleader appearing for the respondents 1 and 2 submitted that the second respondent has already approved the layout plan submitted by the fourth respondent on 19.2.2018.

6. In the light of the above facts, this Court is of the opinion that no further adjudication is necessary in this writ petition. Accordingly, this writ petition stands closed, by granting liberty to the petitioner to challenge the approval of the layout plan of the fourth respondent, in the manner known to law. No costs.

Sd/-
ASST. REGISTRAR

सत्यमेव जयते
/TRUE COPY/

SUB ASST. REGISTRAR

ms

To

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Assistant Director,
Town Country Planning,
Villupuram.

3.The Commissioner,
Panruti Municipality,
Panruti, Cuddalore District.

+1 cc to the Government Pleader, High Court, Chennai SR.NO. 18836

+1 cc to Mr.C.S.Dhanasekaran, Advocate SR.NO. 18027

W.P.No.22424 of 2016

PA (CO)
JK 27/03/18



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