

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.10.2018

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No.26705 of 2018

V.Rajendran

... Petitioner

..Vs..

1.The Commissioner,
Town and Country Planning,
No.807, Anna Salai,
Chennai - 600 002

2. The Member Secretary,
Coimbatore Local Planning Authority,
Coimbatore Corporation,
Tatabad, Sivananda Colony,
Coimbatore.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to regularise the unapproved layout, namely, Green Angel Garden situated at Gudalur Village, Coimbatore, North Taluk, comprised in Survey Nos.1154/1 and 1166/1 in respect of the unsold plots based on the registration slip for regularization issued by the 2nd respondent in registration No.DTCP/L/0067611/2017 dated 26.03.2018 within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondents : Ms.K.Bhuvaneswari

Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the 2nd respondent to regularise the unapproved lay out, namely, for Green Angel Garden, situated at Gudalur Village, Coimbatore, North Taluk, comprised in Survey Nos.1154/1 and 1166/1 in respect of the unsold plots based on the registration slip for regularization issued by the 2nd respondent in registration No.DTCP/L/0067611/2017 dated 26.03.2018 within a stipulated time.

2. According to the petitioner, he has formed a layout in the subject property in question during the year 2011, and the same was not approved. Subsequently, following the Government Order, viz., G.O.Ms.No.78 of 2017, an application dated 26.03.2018, through online was submitted by the petitioner to the respondents seeking to regularize the unapproved plots. Thereafter, the petitioner has also made several representations to the 2nd respondent to consider the application and the application was not considered by the respondents, so far, hence the present Writ Petition has been filed.

3. The learned counsel for the petitioner submitted that it would suffice if the 2nd respondent is directed to consider the petitioner's application and pass suitable orders.

4. The Learned Additional Government Pleader for the respondents submitted that the application of the petitioner dated 26.03.2018 will be considered by the respondents within a stipulated time to be granted by this Court.

5. Considering the submissions on either side, without going into the merits of the case, the 2nd respondent is directed to consider the petitioner's application dated 26.03.2018, seeking to regularise the unapproved layout, namely, Green Angel Garden situated at Gudalur village, Coimbatore, North Taluk, comprised in Survey Nos.1154/1 and 1166/1, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

ssd

To

1.The Commissioner,
Town and Country Planning,
No.807, Anna Salai,
Chennai - 600 002

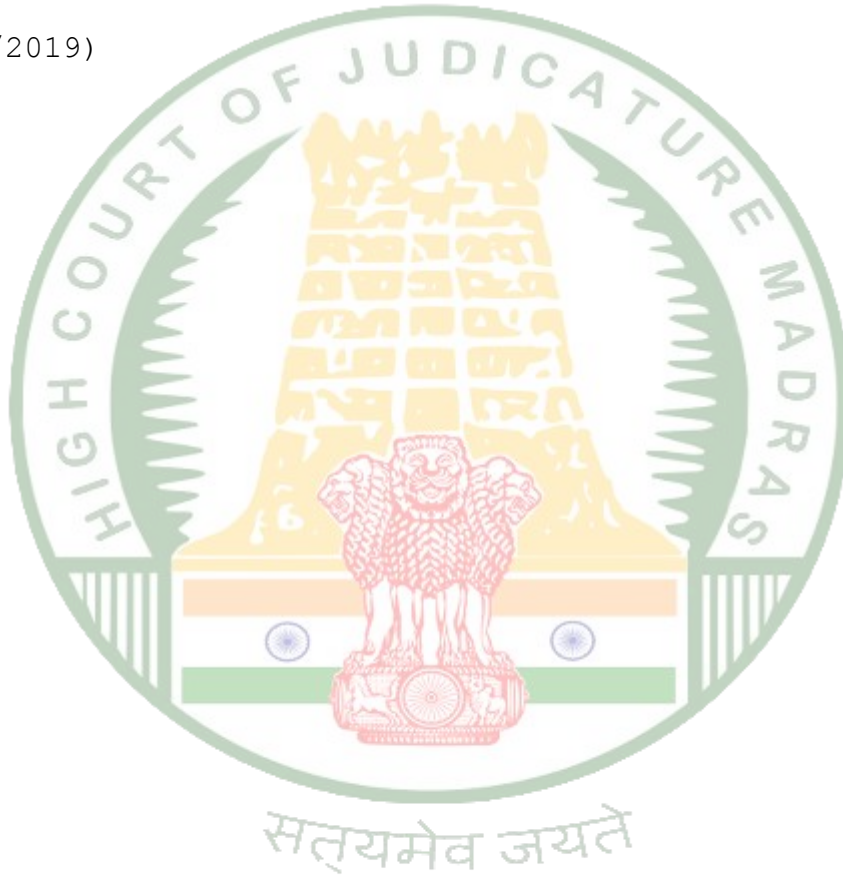
2. The Member Secretary,
Coimbatore Local Planning Authority,
Coimbatore Corporation,
Tatabad, Sivananda Colony,
Coimbatore.

+1cc to Mr.C.Prabakaran, Advocate SR.No.74687

+1cc to Government Pleader SR.No.75327

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NM(CO)
GMY(01/02/2019)



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