

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.11.2018

C O R A M
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

Writ Petition No.29304 of 2018

M/s. Salem Real Estate Promoters Association,
Rep. its President Mr.E.Sukumar,
No.5/859, State Bank Colony,
Salem - 636 004.

... Petitioner

Vs.

1. The Secretary,
Housing and Urban Development [UDA(3) Department]
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Commissioner of Town and Country Planning,
O/o. The Commissioner,
No.807, Anna Salai,
Chennai - 600 002.
3. The District Collector,
The District Collector's Office,
Salem District,
Salem - 636 001.
4. The Salem Local Planning Authority,
Rep. by its Member Secretary,
No.5/601-B, Balaji Nagar,
Subramania Nagar 1st Gate,
Sooramangalam,
Salem - 636 005.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2 & 4 Respondents to accept the on-line application of the members of the Petitioner Association for regularisation of their plots in Dasanaickenpatti village and Nilavarapatti village in Block No.3, Panamarathupatti Block, Salem District and regularise the plots in Dasanaickenpatti village and Nilavarapatti village, as per G.O.Ms.No.78 dated 04.05.2017 amended vide G.O.Ms.No.172 dated 13.10.2017, issued by the 1st respondent.

For Petitioner : M/s.McGan Law Firm.

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader.

O R D E R

The writ petition has been filed seeking the direction to the respondents 2 & 4 to accept the online application of the members of the Petitioner's Association for regularisation of their plots in Dasanaickenpatti village and Nilavarapatti village in Block No.3, Panamarathupatti Block, Salem District and regularise the plots in Dasanaickenpatti village and Nilavarapatti village, as per G.O.Ms.No.78 dated 04.05.2017 amended vide G.O.Ms.No.172 dated 13.10.2017, issued by the 1st respondent.

2. The grievance of the petitioner is that, the petitioner is the president of Real Estate Promoters Association at Salem. As per the Government notification all the planning permission should be submitted through on-line in a website maintained by the 2nd respondent. Whereas, in the case of Dasanaickenpatti village and Nilavarapatti village, Salem District, the website portal opened by the 2nd respondent is not made available to the petitioner to submit their application in on-line, in such circumstances the present writ petition has been filed.

3. Mr.A.N.Thambidurai, the learned Counsel appearing for the respondents on instruction submitted that due to some technical problem the website portal was not opened. However, the petitioner may submit their application before the Salem Local Planning Authority/4th respondent, in person instead of uploading their application in the web portal. Recording, the above submission the petitioner is directed to submit their application before the Local Planning Authority, Salem.

4. The learned Counsel appearing for the petitioner would submit that 10.11.2018 is the last date for submitting the application, hence time may be granted to the petitioner to submit their application.

5. Considering the above circumstances, the petitioner is permitted to submit their application till 20.11.2018. The learned Government Pleader is directed to inform the same to the concerned authorities.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

msvm

To

1. The Secretary,
Housing and Urban Development [UDA(3) Department],
Government of Tamil Nadu,
2. The Commissioner,
The Commissioner of Town and Country Planning,
No.807, Anna Salai, Chennai - 600 002.
3. The District Collector,
The District Collector's Office,
Salem District, Salem - 636 001.
4. The Member Secretary
The Salem Local Planning Authority,
No.5/601-B, Balaji Nagar,
Subramania Nagar 1st Gate,
Sooramangalam, Salem - 636 005.

+1cc to M/s. McGan Law Firm, Advocate, S.R.No.75942

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rrs 14/11/2018

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