



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2018

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI**

W.P.(MD).No.23228 of 2017

M.Vijaya Lakshmi

... Petitioner

Vs.

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai - 9.

2.The Director of Town and Country Planning,
807, Anna Salai,
Chennai.

3.The Local Planning Authority,
Rep. by its Member Secretary,
No.108, Trivandrum Road,
Tirunelveli.

4.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to pass final orders in the appeal petition, dated 26.4.2017 and the proceedings in Na.Ka.No.594/2017 Thi.U.Thi.Ku. dated 06.06.17 and consequently direct the respondents permitting the petitioners to modify the construction of existing building situated in T.S.No.556/1 and 2, Block No.7, Ward No.4, Melapalayam, Tirunelveli into residential house by de-sealing.

For Petitioner

: Mr.S.Satheesh Kumar

For RR 1 to 3

: Mr.S.Dhayalan,
Government Advocate

For R - 4

: Mr.Aayiram K.Selvakumar

O R D E R

[Order of the Court was delivered by T.S.SIVAGNANAM, J.]

The writ petition has been filed for a Writ of Mandamus directing the respondents 2 and 3 to pass final orders in the appeal petition, dated 26.4.2017 and the proceedings in Na.Ka.No.594/2017 Thi.U.Thi.Ku. dated 06.06.17 and consequently direct the respondents permitting the petitioners to modify the construction of existing building situated in T.S.No.556/1 and 2, Block No.7, Ward No.4, Melapalayam, Tirunelveli into residential house by de-sealing.

2. The learned Additional Government Pleader pointed out that the Member Secretary, Local Planning Authority, by a communication dated 28.12.2017, has directed the petitioner to produce certain records and it is submitted that till date those records have not been produced.

3. The learned counsel for the petitioner would submit that already representations were given on 05.01.2018 and 16.01.2018 and necessary records have been enclosed along with the representations.

4. If the petitioner has enclosed the necessary records, then the competent authority shall proceed with the matter and pass orders on merits and in accordance with law, as expeditiously as possible.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George, Chennai - 9.
 - 2.The Director of Town and Country Planning,
807, Anna Salai, Chennai.
 - 3.The Member Secretary, The Local Planning Authority,
No.108, Trivandrum Road,
Tirunelveli.
 - 4.The Commissioner,
Tirunelveli City Municipal Corporation, Tirunelveli.
- +One cc to The Special Government Pleader, SR.No.51284
+One cc to Mr.H.Arumugam, Advocate, SR.No.51049

akv

RL/7C/2P/CVC/SAR1/2/4/2018

W.P. (MD) .No.23228 of 2017