

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.08.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 23767 of 2011

and

M.P.No.1 of 2011

V.Subramaniam

..Petitioner

vs

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Deputy Director,
Town and Country Planning Authority,
Dharmapuri Zone,
Dharmapuri 636 701.

3.The Tahsildar,
Krishnagiri Taluk,
Krishnagiri.

4.The President,
Peria Kattupalli Village Panchayat,
Krishnagiri Taluk and District.

5.S.Viswanathan,
Proprietor,
Ayngaran Castel,
Survey No.19/1A, Pettarapatti Village,
Krishnagiri Taluk and District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, directing the respondents 1 to 4 to take action as against the fifth respondent based upon the representation of the petitioner dated 03.10.2011 and enforce the proceedings of the Tamil Nadu Panchayat Buildings Rules, 1997 as issued in G.O.Ms.No.255, Rural Development (C2) Department, dated 18.08.1997 and also G.O.Ms.No.71, Rural Development (C2) Department, dated 16.06.2003 and consequentially forbear the fifth respondent from forming layout

in the name of 'Ayangaran Avenue' in Survey No. 19/1A, 1B, 1C, 1D, 1F, 2, 20/1, 2, 3, 4A, 20/4B, 5, 6, 22/1, 2, 3, 4, 5, 6 and 7 of Pethanapalli Village, Krishnagiri Taluk and District and selling the same as house plots.

For Petitioner : Mr.R.Bharanidharan

For Respondents : Mr.J.Ramesh for R1 to R3

Mr.D.Suriya Narayanan A.G.P.For R4

M/s.C.D.Johnson for R5.

ORDER

The petitioner has filed this Writ Petition directing the respondents 1 to 4 to take action as against the fifth respondent based upon the representation of the petitioner dated 03.10.2011 and enforce the proceedings of the Tamil Nadu Panchayat Buildings Rules, 1997 as issued in G.O.Ms.No.255, Rural Development (C2) Department, dated 18.08.1997 and also G.O.Ms.No.71, Rural Development (C2) Department, dated 16.06.2003 and consequentially forbear the fifth respondent from forming layout in the name of 'Ayangaran Avenue' in Survey No. 19/1A, 1B, 1C, 1D, 1F, 2, 20/1, 2, 3, 4A, 20/4B, 5, 6, 22/1, 2, 3, 4, 5, 6 and 7 of Pethanapalli Village, Krishnagiri Taluk and District and selling the same as house plots.

2. The learned counsel appearing for the petitioner would submit that without going into merits of the case, it would suffice if the direction issued to the concerned authority, the fifth respondent herein pass appropriate orders on the representation of the petitioner dated 03.10.2011 in accordance with law.

3. The learned counsel for the private respondent would submit that before considering the petitioner's representation, opportunity may be given to the private respondent, so as to enable him to raise his objection before the Competent Authority.

4. Considering the limited request made by the learned counsel appearing for the petitioner, I am inclined to direct the second respondent to consider the representation of the petitioner after affording opportunity to the fifth respondent, since the Writ Petition is filed in the year 2011. For convenience of the second respondent, the petitioner is directed to send a copy of the representation along with order copy to enable the second respondent to pass an appropriate order.

5. With the above direction, the present Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vr

To

- 1.The District Collector,
Krishnagiri District,
Krishnagiri.
- 2.The Deputy Director,
Town and Country Planning Authority,
Dharmapuri Zone,
Dharmapuri 636 701.
- 3.The Tahsildar,
Krishnagiri Taluk,
Krishnagiri.
- 4.The President,
Peria Kattupalli Village Panchayat,
Krishnagiri Taluk and District.

+1cc to Mr.R.Karthikeyan, Advocate SR.73892
+1cc to the Government Pleader SR.74667

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AD(CO)
CB(24/10/2019)

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