



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.7529 of 2015

WEB COPY

C.Thanushkodi

... Petitioner

Vs

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Executive Officer,
Kottaram Town Panchayat,
Kanyakumari District.

3.The Deputy Director of Health Service,
Nagercoil.

R3 is suo motu impleaded
as third respondent vide
order dated 26.03.2019

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent No.2 to sanction the building plan approval for the petitioner's rubber company in an extent of 8 cents situated in S.No.218-1 at Kottaram Village, Kottaram Town Panchayat, Kanyakumari District within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner wants to set up a rubber band factory in Kottaram village. The petitioner submitted his application seeking building plan approval on 18.06.2014. The second respondent herein forwarded the application to the Deputy Director of Health Service, Nagercoil for issuance of No Objection Certificate. The No Objection Certificate was not forthcoming. Therefore, the second respondent could not grant any building plan



approval to the writ petitioner. That has necessitated the filing of this writ petition.

3.This Court *suo motu* impleaded the Deputy Director, Health Services, Nagercoil as the third respondent.

4.The third respondent is directed to consider the petitioner's request for issuance of No Objection Certificate for setting up a rubber band factory in Survey No.218-1 in Kottaram Village. The third respondent shall inform the second respondent herein within a period of four weeks from the date of receipt of a copy of this order. It is open to the petitioner to submit a fresh set of applications earlier given by him directly to the third respondent also. Based on the decision of the third respondent, the second respondent herein will pass orders in accordance with law within a period of four weeks thereafter.

5.Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Executive Officer,
Kottaram Town Panchayat,
Kanyakumari District.

3.The Deputy Director of Health Service,
Nagercoil.

+1 CC to M/s.SPL GP (SR-56941[F] dated 27/03/2019)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-56815[F] dated 27/03/2019)

PNN

W.P. (MD) No. 7529 of 2015

26.03.2019