

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9116 of 2020

Mrs. V. Krishanveni,
W/o. Mr.R.Velusamy,
No.169, Nearby Karumariyappan Koil,
Vedapatti Road, KTL Mill Opposite,
Madathukulam,
Tiruppur District - 641 113. ... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Housing and Urban Development,
Secretariat, Chennai - 09.
2. The Director of Town and Country Planning,
Directorate of Town and Country Planning,
No. 807, Anna Salai, Chennai - 600 002.
3. The Assistant Director of Town and Country Planning,
Kumaran Commercial Complex,
First Floor, Corporation Building,
Near Railway Station, Tiruppur - 641 601.
4. The Executive Officer,
Office of Madathukulam Town Panchayat,
Madathukulam, Tiruppur District - 641 113.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to directing the 4th respondent herein to consider the representation of the petitioner dated 21.02.2020 within a reasonable time.

For Petitioner :Mr. M.V. Kalai Chithram
For Respondents :Mr.E. Balamurugan
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the fourth respondent to consider the representation made by the petitioner and pass orders within the time stipulated by this Court.

2. The case of the petitioner is that she is the owner of the property measuring an extent of 1409 sq.ft and an application was submitted on 06.01.2020 before the fourth respondent seeking for regularization of plots. The fourth respondent in turn had forwarded the application to the third respondent. The grievance of the petitioner is that when the petitioner approached the third respondent, it was informed that it is only the fourth respondent, who is the competent authority and therefore orders can be passed only by the fourth respondent.

3. The petitioner therefore made a representation to the fourth respondent on 21.02.2020. Since there was no response, the present writ petition has been filed seeking for appropriate direction.

4. Heard Mr. M.V. Kalai Chithram, learned counsel for the petitioner and Mr.E. Balamurugan, learned Special Government Pleader for the respondents.

5. The learned Special Government Pleader appearing on behalf of the respondents submitted that it is only the third respondent who is the competent authority to pass orders on the application submitted by the petitioner seeking for approval of the plot. The learned counsel further submitted that the fourth respondent had forwarded the entire file to the third respondent by his proceedings No. Na.Ka.No.412/2020 dated 24.02.2020.

6. This Court has carefully considered the submissions made on either side and the materials available on record.

7. In view of the specific stand taken by the learned Special Government Pleader, there shall be a direction to the third respondent to process the application submitted by the petitioner in accordance with law and pass final orders within a period of twelve(12) weeks from the date of receipt of a copy of this order.

8. On receipt of the order, the fourth respondent shall intimate the same to the petitioner. The petitioner shall make a fresh representation to the third respondent along with all the records and also a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mp/kp

To

1. The Secretary to Government,
Housing and Urban Development,
Secretariat, Chennai - 09.
2. The Director of Town and Country Planning,
Directorate of Town and Country Planning,
No. 807, Anna Salai, Chennai - 600 002.
3. The Assistant Director of Town and Country Planning,
Kumaran Commercial Complex,
First Floor, Corporation Building,
Near Railway Station, Tiruppur - 641 601.
4. The Executive Officer,
Office of Madathukulam Town Panchayat,
Madathukulam, Tiruppur District - 641 113.

+1cc to the Government Pleader, Sr.No.24710

सत्यमेव जयते

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RSV(CO)
GS(05/08/2020)

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