

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.9842 of 2020

D.Padma
W/o Ravi
No.75, Sarakuppam Village,
Chettikuppam Road,
Gudiyatham Taluk,
Vellore District.

...Petitioner

Vs

1. The District Collector,
Vellore District,
Vellore - 632 009
2. The Assistant Director of Panchayats,
Panchayat Union Office,
Tiruppathur.
3. The Deputy Director of Town and Country Planning
(Incharge), Vellore Division,
No.233, Phase-2, Sathuvacheri,
Vellore - 632 009.
4. The Special Officer/Block Development Officer,
(Village Panchayats),
Goodanagaram Panchayat,
Gudiyatham Panchayat Union,
Gudiyatham, Vellore District.

...Respondents

Prayer:

Writ Petition filed under Section Article 226 of the Constitution of India praying Writ of Mandamus to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 13.06.2020 for cancelling the illegal condition stipulated as condition No."13" by the 2nd respondent in Pro.Na.Ka.No.B1/1180/2019 dated 08.06.2020 and thereby approve the building plan of the petitioner.

For Petitioner

:

Mr..T.Dharani

For Respondents

:

Mr.R.Govindasamy
Special Government Pleader

O R D E R

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondent. By consent of both parties, the main writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner seeks for a Mandamus to direct the 1st respondent to consider and pass orders on her representation dated 13.06.2020 for cancelling the illegal condition stipulated as condition No.13 by the 2nd respondent in Pro.Na.Ka.No.B1/1180/2019 dated 08.06.2020 and thereby approve the building plan of the petitioner.

4. Heard both sides.

5. It appears that the petitioner has obtained building planning permission from the 2nd respondent dated 08.06.2020 and she is aggrieved against Condition No.13 stipulated therein. Therefore, the petitioner filed an appeal before the 1st respondent on 13.06.2020 challenging the stipulation of such condition. Now, the present writ petition is filed seeking for disposal of her appeal before the 1st respondent.

6. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the 1st respondent to consider and decide the same on merits and in accordance with law. Accordingly, this Writ Petition is disposed of, only by directing the 1st respondent to dispose of the petitioner's appeal dated 13.06.2020 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk/vsi

To

1. The District Collector,
Vellore District,
Vellore - 632 009

2. The Assistant Director of Panchayats,
Panchayat Union Office, Tiruppathur.
3. The Deputy Director of Town and Country Planning
(Incharge), Vellore Division,
No.233, Phase-2, Sathuvacheri,
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KK (CO)
KKV/17/08/2020



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