

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.11344 of 2020
and
WMP.No.13827 of 2020

V.Pongiammal
W/o.Late Viswanathan

..Petitioner

- Vs -

1. The Director,
Town and Country Planning Department,
Chengalvarayan Building,
No.807, Anna Salai, Chennai-600 002.
2. The Deputy Director,
Town and Country Planning,
Coimbatore Region,
Dr.Nanjappa Road,
Coimbatore-641 018.
3. The District Collector,
Coimbatore District, Coimbatore.
4. Coimbatore Local Planning Authority,
First Floor,
Corporation Shopping Complex,
Raju Naidu Street, Sivananda Colony,
Coimbatore-641 012.
5. The Sub Registrar,
Office of the Sub Registrar,
Singanallur, Coimbatore District.
6. The Assistant Executive Engineer,
Coimbatore Electricity Distribution System (Corporation)
TANGEDCO,
North Chinnampalayam
Coimbatore.
7. The President,
Chinnayampalayam Village Panchayat,
Chinnayampalayam, Sulur Taluk,
Coimbatore District.

8. M/s.Prasath Rajan Properties P Ltd.,
Rep. By its Managing Director,
Door 11, Gopalakrishnan Street,
T.Nagar, Chennai-600 017.

9. M/s.PGF Holdings Coimbatore Private Limited,
Represented by its Director,
C.R.Jayapaul,
S/o.Rangaiyyan,
R.R.Landmark,
Door No.1E, Nav India Road,
Coimbatore-641 026.

10.K.Mani
S/o.Kailasam, Door No.12,
NRI Enclave, Saravanampatti,
Viswasapuram, COimbatore Tk & Dt. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, forbearing the 1st and 2nd respondents from granting lay out permission to the 8 to 10 respondents or any other third parties in respect of the property admeasuring 6.54 acres comprised survey no.31 situated at Irugur village, Sulur Taluk, Coimbatore District by considering petitioner's representation dated 19.2.2020 and grant such other relief.

For Petitioner : Mr.R.Rajarajan

For Respondents: Mr.E.Balamurugan
Govt. Advocate For R1 to R4 & R7
Mr.T.M.Pappiah
Sp. Govt. Pleader for R5
Mr.M.Vijayamehanath for R6

सत्यमेव जयते
O R D E R

This writ petition has been filed for the issue of writ of Mandamus forbearing the first and second respondents from granting lay out permission to respondents 8 to 10 or any other persons claiming under them in respect of the subject property, without considering the objection/representation made by the petitioner on 19.02.2020.

2. The case of the petitioner is that the property originally belonged to one Viswanathan and after his demise, the petitioner, her son and her daughter have become the absolute owners of the property being the legal representatives of the said Viswanathan. The grievance of the petitioner is that the

respondents 8 to 10 have created/fabricated certain documents and are attempting to develop the property by submitting an application before the first and second respondents, wherein, they have sought for permission to form a lay out. The petitioner had given a representation/complaint before the first and second respondents not to grant any permission to form a lay out since the petitioner and her children are the absolute owners of the property. The grievance of the petitioner is that her complaint/representation is not considered and therefore, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard the learned counsel for the petitioner and Mr.E.Balamurugan, learned Government Advocate for the respondents 1 to 4 and 7, Mr.T.M.Pappiah, learned Special Government Pleader for the fifth respondent and Mr.M.Vijayamehanath, learned counsel appearing for the sixth respondent.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the first and second respondents to conduct an enquiry upon the representations/complaint given by the petitioner dated 19.02.2020 and 11.03.2020 and deal with the same strictly in accordance with law. The first and second respondents shall issue notice to the respondents 8 to 10 before conducting the enquiry and passing final order. The first and second respondents shall consider the objection given by the petitioner before scrutinising the application, which is said to have been submitted by the respondents 8 to 10 for forming the lay out. This process shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first and second respondents along with all necessary documents and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Director,
Town and Country Planning Department,
Chengalvarayan Building,
No.807, Anna Salai, Chennai-600 002.
 2. The Deputy Director,
Town and Country Planning,
Coimbatore Region, Dr.Nanjappa Road,
Coimbatore-641 018.
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North Chinniampalayam, Coimbatore.
 7. The President,
Chinnayampalayam Village Panchayat,
Chinnayampalayam, Sulur Taluk, Coimbatore District.
- +1cc to the Government Pleader, Sr.No.28330

WP.No.11344 of 2020

bp (co)
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