

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20/1/2021

C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.1025 of 2021

A. Shamshathbegam

...Petitioner

Vs

The Executive Officer
Harur Selection Grade Panchayat
Harur
Dharmapuri District.

...Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to grant plan approval to put up construction of residential building, bathroom and compound wall at his place in Old S.No.8/55, New S.No.20/2A of Mettupatti Village, Harur Taluk, Dharmapuri District.

For petitioner ... Mr.J.Pradeep

For respondent ... Mr.D.Venkatesan
Government Advocate

ORDER

This writ petition has been filed to direct the respondent to grant plan approval to put up construction of residential building, bathroom and compound wall at Old S.No.8/55, New S.No.20/2A of Mettupatti Village, Harur Taluk, Dharmapuri District.

2. The case of the petitioner is that the petitioner had approached the respondent for grant of approval, to put up construction of a residential building, bathroom and compound wall, in Old S.No.8/55, New S.No.20/21 of Mettupatti Village, Harur Taluk, Dharmapuri District, in the year 2000. But the respondent has not granted approval. Hence, the petitioner had filed a suit in O.S.No.29 of 2000, for permanent injunction against the respondent, before the District Munsif Court, Harur, Dharmapuri District and the same was decreed in favour of the

petitioner by judgment and decree, dated 21/8/2001. On 11/9/2020, the petitioner had sent a representation, with the requisite documents through Registered Post and the respondent had also acknowledged the same. Since the respondent has not considered the representation of the petitioner, dated 11/9/2020, so far, petitioner has approached this Court for the relief stated supra.

3. Mr.D.Venkatesan, learned Government Advocate takes notice for the respondent and has sought for short accommodation, to ascertain why the respondent has not considered the application of the petitioner, dated 11/9/2020.

4. This Court also directed to ascertain whether any appeal has been filed as against the judgment and decree, dated 21/8/2001, made in O.S.No.29 of 2000.

5. Mr.D.Venkatesan, learned Government Advocate, after getting oral instruction from the respondent submitted that the respondent has not preferred any appeal as against the judgment and decree passed in O.S.No.29 of 2000.

6. In view of the submissions made by the respective counsel, this Court is inclined to issue a direction to the respondent, to take a decision on the application filed by the petitioner, for the building plan approval, within a period of three weeks, from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

mvs.

To
The Executive Officer, Harur Selection Grade Panchayat
Harur, Dharmapuri District.

+1CC to Mr. J.Pradeep, Advocate in SR. 2926 .

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KK (CO)
NRA (09/02/2021)