



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.10754 of 2021

S.Rathamani

..

Petitioner

vs.

The Commissioner and Member Secretary,
Pollachi Local Planning Authority,
Pollachi Municipality,
Pollachi.

..

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's petition dated 12.04.2021 and to grant approval for the building plan obtained from the authorised Civil Engineer/LBS of the respondent.

For Petitioner : Mr.B.Thirumalai

For Respondent : Mr.B.Anand
Standing Counsel

O R D E R

The petitioner has submitted a representation dated 12.04.2021 to the respondent, seeking to inspect her property and approve the building plan and since the said representation is kept pending without passing any orders, the petitioner has filed the present writ petition.

2. Mr.B.Anand, learned Standing Counsel for the respondent has brought to the notice of this Court that pending the representation before the respondent, the petitioner has filed an appeal before the Director of Town and Country Planning (DTCP), Chennai on 22.03.2021 and without disclosing the said fact, the petitioner has filed the present writ petition.

3. Mr.B.Thirumalai, learned counsel for the petitioner has disputed the aforesaid submission of the learned counsel for the respondent and the petitioner may be permitted to submit her explanation to the respondent with supporting documents.



4. In view of the aforesaid disputed facts, this Court, without going into the merits of the claim projected by both the parties, directs the petitioner to appear before the respondent within a period of two weeks from the date of receipt of a copy of this order and submit her explanation with regard to filing of appeal before the Appellate Authority, namely, Director of Town and Country Planning (DTCP), Chennai and the respondent shall consider the same and pass appropriate orders in accordance with law within a period of four weeks thereafter.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Jvm

To

The Commissioner and Member Secretary,
Pollachi Local Planning Authority,
Pollachi Municipality,
Pollachi.

+1cc to Mr.A.S.Thambuswamy, Advocate, S.R.No.34533

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SSV(CO)
CB(06/08/2021)