

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.02.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.NOS. 11384 & 8542 OF 2020
& W.M.P.NOS. 13885,13886,13889,10325 & 10326 OF 2020

W.P.No. 11384 of 2020

A.Mahalakshmi

..Petitioner

vs.

1. The District Collector,
District Collector Office,
Tiruppur District.

2. The Assistant Director,
Department of Town & Country Planning,
District Collector Office, Tiruppur.

3. The District Registrar,
Joint-1, Sub Registrar Office,
Tiruppur.

4. The Sub Registrar
Udumalpet, Tiruppur District.

5. P.Kalimuthu

...Respondents

W.P.No. 8542 of 2020

A.Mahalakshmi

..Petitioner

vs.

1. The District Collector,
District Collector Office,
Tiruppur District.

2. The Block Development Officer,
Pukkulam Panchayat,
Gudimangalam BDO Office,
Pethappampatti, Udumalpet Taluk.

3. Deivathal

4. S.Alagu Selladurai

5.P.Kalimuthu

...Respondents

Prayer in WP No. 11384 of 2020: Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records pertaining to the impugned layout approval granted by the second respondent dated 20.03.2020 vide FILE.No.1048/2019 Thi.Ma.1 and quash the same.

Prayer in WP No.8542 of 2020: Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records pertaining to the resolution no.8 dated 29.05.2020 passed by the 3rd respondent panchayat under the influence of the 4th respondent and quash the same and consequently to issue the direction to respondents 1 and 2 to prevent the 4th respondent from interfering with the day to day affairs of the Pukkulam Panchayat, and enable the officer bearers to discharge their duties only as per the law and direction of the third respondent by considering the petitioner's representation dated 15.06.2020.

For Petitioner : Mr.C.Prabakaran
in both WPs

For Respondents : Mr.Annai Ezhil,
Govt. Advocate for R1 and R2
in W.P. No. 11384 of 2020
for R1 in W.P. No.8542 of 2020
Mr.T.M.Pappiah,
Spl. Govt Pleader for R3 & R4
in W.P. No.11384 of 2020
Mr.M.Sivavarthan for R5
in W.P. No. 11384 of 2020
Mr.E.Balamurugan, Spl. GP
for R2 in W.P. No.8542 of 2020

COMMON ORDER

The Vice President of Pukkulam Panchayat, Villupuram District, Tiruppur District, has filed W.P.No.8592 of 2020 as against the Resolution No.8 dated 29.05.2020 passed by the third respondent panchyat and to quash the same. The writ petition in W.P.No.11384 of 2020 is filed to quash the approved lay out granted in favour of the private respondent.

2.The case of the petitioner is that the private respondent has illegally obtained an approval from the panchayat without the knowledge of the petitioner. According to the petitioner, Resolution No.8, in and by which the approval was granted by the panchyat, has been inserted by the proceedings of the third respondent viz., the President of panchayat. As against the resolution dated 29.05.2020, the petitioner has made a

representation to the District Collector and the Inspector of Panchayats of Tiruppur District on 01.06.2020 06.06.2020, 15.06.2020 and 26.06.2020. Those representations were not considered and therefore, the petitioner has approached this Court.

3.Learned counsel for the petitioner submits that the land, which has been declared as fertile land, has been converted as a housing site and the lay out approval was also obtained without the knowledge of the petitioner. She has also made several representations to the District Collector and Inspector of Panchayats, which were not considered.

4.In view of the above, without going into the merits of the case, this Court directs the District Collector and Inspector of Panchayats, Tiruppur District to consider the case of the petitioner, based on the representations dated 01.06.2020 06.06.2020, 15.06.2020 and 26.06.2020 and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

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To

1. The District Collector,
District Collector Office,
Tiruppur District.
2. The Assistant Director,
Department of Town & Country Planning,
District Collector Office, Tiruppur.
3. The District Registrar,
Joint-1, Sub Registrar Office, Tiruppur.
4. The Sub Registrar
Udumalpet, Tiruppur District.

5. The Block Development Officer,
Pukkulam Panchayat,
Gudimangalam BDO Office,
Pethappampatti, Udumalpet Taluk.

+2cc M/s.C.Prabakaran, Advocate, Sr.No.10069, 10070
+1cc to Government Pleader, Sr.No.10338
+1cc to Mr.M.Sivavarthan, Advocate, Sr.No.9762

W.P.Nos. 11384 &
8542 of 2020

SR II(CO)
KKV/10/03/2021



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