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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23208 of 2021

A.Jayakumar

...Petitioner

-Vs-

1 The Block Development Officer
P.K.Street, S.H.58, Desumugipet
Thirukalukundram 603109
Chengalpet District.

2. The Director,
Directorate of Town and Country Planning
Annasalai, Chennai.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of directing the 1st respondent to consider the petitioners application for the Regularization of Unapproved Plots and Layouts under Registration No. DTCP/ P/ 0976237/ 2017 dated 26.02.2021 with regard to the regularization of plot No.318 in Survey No. 418 in Manamai Village Manamai Panchayat Thirukazhukundram Sub Registrar Office Chengalpet Registration District on the file of the 1st Respondent Block Development Officer Thirukazhukundram and pass orders with regards to the Regularization within such time stipulated by this Honble Court.

For Petitioner : Mr.M.Kaviveerappan

For Respondents : Mr.Thippu Sulthan,
Government Advocate-for R1

Mr.U.Baranidharan,
Government Advocate-for R2

O R D E R

This writ petition has been filed for the issue of a writ of Mandamus directing the first respondent to consider the application submitted by the petitioner in Registration No.DTCP/P/0976237/2017 dated 26.02.2021, wherein the petitioner has sought for the regularization of the unapproved plot and layout.



2. The case of the petitioner is that, the property originally belonged to one Subramani Nadar and thereafter it was purchased from the legal heirs of Subramani Nadar by one Sumithikumar. In turn, the petitioner has purchased the property from the said Sumithikumar by virtue of a sale deed dated 29.09.2014.

3. The petitioner wanted to develop the land. However, it was found that it was an unapproved plot / layout and hence the petitioner made an application before the first respondent which was assigned Registration No. DTCP/P/0976237/2017 dated 26.02.2021. The grievance of the petitioner is that the first respondent is yet to consider the application submitted by the petitioner and hence left with no other option, the present writ petition has been filed seeking for appropriate directions.

4. Heard Mr.M.Kaviveerappan, learned counsel appearing for the petitioner, Mr.Thippu Sulthan, learned Government Advocate appearing for the first respondent and Mr.U.Baranidharan, learned Government Advocate appearing for the second respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to consider the application submitted by the petitioner in Registration No. DTCP/P/0976237/2017 dated 26.02.2021 and deal with the same on its own merits and in accordance with the relevant Government Order and take a decision within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation with all the relevant documents and a copy of this order.

6. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

KST

To

1 The Block Development Officer
P.K.Street, S.H.58, Desumugipet
Thirukalukundram 603109
Chengalpet District.



2. The Director,
Directorate of Town and Country Planning
Annasalai, Chennai.

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+1cc to Mr.M.Kaviveerappan, Advocate, S.R.No.56315

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RLD[co]
NSK 24/11/2021