



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.935 of 2021

Yesu Raja
S/o.Selvaraj

...Petitioner

Vs.

- 1.The Member Secretary,
Tirunelveli Local Planning Authority,
Xaviour Colony, Bye-pass Road, Tirunelveli.
- 2.The Deputy Director of Town and Country Planning,
Town and Country Planning Office,
Collectorate Campus, Nagercoil,
Kanyakumari District.
- 3.The Sub Registrar,
Verkilambi Sub Registrar Office,
Kanyakumari District.
- 4.The Executive Officer,
Verkilambi Town Panchayat,
Kanyakumari District.
- 5.Alwin Jeba Singh

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 3rd respondent not to register any document in respect of (Housing Plots) situated in Re.Sy.No.588/5 in Mecode Village and consequently, direct the respondent Nos.1, 2 and 4 to intervene the issue and take necessary action against the 5th respondent by considering petitioner's representation dated 01.12.2020 and 12.12.2020.

For Petitioner

:Ms.Karthika Priya
for M/s.Balakirshnan A

For Respondent Nos.1 & 2

:Mr.K.P.Krishnadoss
Special Government Pleader

For Respondent No.3

:Mr.K.Sathiya Singh
Additional Government Pleader

For Respondent No.4

:Mr.A.Karthick
Government Advocate

For Respondent No.5

:Mr.C.Kishore

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ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The Writ Petition styled as a Public Interest Litigation, seeks for the issuance of a Writ of Mandamus, directing the 3rd respondent not to register any document in respect of the Housing Plots situated in Re.Sy.No.588/5 in Mecode Village and consequently, directing the respondent Nos.1, 2 and 4 to intervene in the issue and take necessary action against the 5th respondent by considering petitioner's representations dated 01.12.2020 and 12.12.2020.

2.The petitioner, who is an practising advocate, would rely upon certain documents and submitted that appropriate planning permission has not been obtained.

3.Mr.C.Kishore, learned counsel, who accepts notice on behalf of the 5th respondent on specific instruction from his client submitted that the fifth respondent is not making any development in the said land and attributed certain motives to the present litigation, which we are not concerned.

4.Since there is no proposal to form any layout by the fifth respondent, the question of issuing Mandamus as prayed for does not arise for the present and hence, no direction is issued in the Writ Petition, but leaving it open to the petitioner to bring it to the knowledge of the appropriate authorities, if there is any statutory violation.

5.The Writ Petition is disposed of with the above observations. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

- 1.The Member Secretary, Tirunelveli Local Planning Authority,
Xaviour Colony, Bye-pass Road, Tirunelveli.
- 2.The Deputy Director of Town and Country Planning,
Town and Country Planning Office,
Collectorate Campus, Nagercoil,
Kanyakumari District.
- 3.The Sub Registrar, Verkilambi Sub Registrar Office,
Kanyakumari District.
- 4.The Executive Officer,
Verkilambi Town Panchayat,
Kanyakumari District.

+1 CC to M/s.C.KISHORE, Advocate (SR-15984[F] dated 16/04/2021)

+1 CC to M/s.SPL GP (SR-15966[F] dated 16/04/2021)

+1 CC to M/s.A.BALA KRISHNAN, Advocate (SR-16146[F] dated 17/04/2021)

+1 CC to M/s.SPL GP (SR-16048[F] dated 16/04/2021)

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