



W.P. No. 15251 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 15251 of 2015
and
M.P. Nos. 1, 2 and 3 of 2015**

1. K.Murugesan

2. M.Kumaravel

... Petitioners

-VS-

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Directorate of Town and Country Planning,
Represented by its Director/Commissioner,
Opposite to LIC, Chengalvarayan Building,
Fourth Floor, 807, Anna Salai,
Chennai – 600 002.

3. The Tiruchengode Municipality,
Represented by its Commissioner,
Namakkal District – 637 211.

4. The Local Planning Authority,
Represented by its Deputy Director,
Salem.

5. S.Malliga

6. M.Palaniappan



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7. S.Jayaraman
Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to take steps to enforce the proceedings of the Third Respondent in Na. Ka. No. 7065/99/F.1, dated 17.03.2015 and consequently to forbear the Fifth to Seventh Respondents from in any way developing and dealing with the unauthorized layouts in TSLR Nos. 9 and 10 in Ward-H, Block-2, Tiruchengode Town.

For Petitioners : Mr. P. Wilson, Senior Counsel for
M/s. P.Wilson Associates

For Respondents : Mr. P.Balathandayutham,
Special Government Pleader
(for R1 & R2)

Mr.P.Navaneetha Krishnan (for R3)

Mr. V.Raghavachari (for R5, R6 & R7)

ORDER

Heard Mr. P. Wilson, Learned Senior Counsel for the Petitioner, Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the First and Second Respondents, Mr. P.Navaneetha Krishnan, Learned Counsel for the Third Respondent and Mr. V.Raghavachari, Learned Counsel for the Fifth, Sixth and Seventh Respondents and perused the materials placed on record, apart from the pleadings of the parties.



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2. The Writ Petition has been filed for directing the Respondents to take steps to enforce the proceedings in Na. Ka. No. 7065/99/F.1 dated 17.03.2015 issued by the Third Respondent and to consequently forbear the Fifth to Seventh Respondents from in any way developing and dealing with the unauthorized lay-outs in TSLR Nos. 9 and 10 in Ward-H, Block-2, Tiruchengode Town.

3. It has been brought to notice by Learned Counsel for the Third Respondent that after the filing of the Writ Petition, the Government of Tamil Nadu had issued G.O. (Ms). No. 78, Housing and Urban Development, dated 04.05.2017 and G.O. No. 172 dated 13.10.2017 providing for regularization of the unapproved plots and that pursuant to the same, the unapproved plots were sought to be regularized by the Sold Plot Frame Work-SPFW/SRDD Bi, 8209/2018 dated 25.10.2018 issued by the Town and Country Planning Authority. It is represented that in consequence thereof, most of the unauthorized plots, which were the subject matter of the present Writ Petition, have been regularized and the plans were also approved after receiving the appropriate charges. In view of the subsequent events, the relief sought by the Petitioners does not remains for consideration, but if the Petitioners have any



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further grievance, they are not precluded from working out their rights before the proper forum in the manner recognized by law.

4. In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

26.10.2022

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Index: Yes/No

Note: Issue order copy by 03.01.2023.

To

1. The Secretary to Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Director/Commissioner,
The Directorate of Town and Country Planning,
Opposite to LIC, Chengalvarayan Building,
Fourth Floor, 807, Anna Salai,
Chennai – 600 002.
3. The Commissioner,
The Tiruchengode Municipality,
Namakkal District – 637 211.
4. The Deputy Director,
The Local Planning Authority,
Salem.



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P.D. AUDIKESAVALU, J.

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