



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.27120 of 2016

and

W.M.P.Nos.23296, 23297 of 2016 & 37277 of 2017

Lagumamma (Deceased)

- 1.M.Venkatesh
- 2.M.Ellappa
- 3.M.Lagumappa
- 4.M.Ellamma
- 5.M.Mariyappan

[P1 to P5 substituted as LR of deceased
sole petitioner vide order dated 10.11.2020
made in WMP.No37277 of 2017 in W.P.No.27120 of 2016]

...Petitioners

Vs

- 1.The District Collector,
Krishnagiri District,
Krishnagiri
- 2.The Block Development Officer,
Hosur,
Krishnagiri District.
- 3.The Commissioner,
Hosur Municipality,
Krishnagiri District.
- 4.The Panchayat President,
Mookandapalli Village,
Hosur Taluk,
Krishnagiri District.
- 5.C.Srinivasulu



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6.The Deputy Director,
Hosur New Town Development Authority,
No.35/A, Nethaji Road, Madurai Bank,
1st Floor, Hosur,
Krishnagiri District-635 109.

7.The Regional Deputy Director,
Directorate of Town and Country Planning,
No.35/A, Nethaji Road, Madurai Bank,
1st Floor, Hosur,
Krishnagiri District-635 109.

[R6, R7 impleaded vide order dated 26.02.2021 made in
WMP.No.5570 of 2021 in W.P.No.27120 of 2016]

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings of the 3rd respondent in Na.Ka.No.03937/2015/F1 dated 04.03.2016 and quash the same as illegal, incompetent and ultravires and consequently direct the 3rd respondent to consider the petitioner's representation dated 20.02.2015 on merits and in accordance with law.

For Petitioners	:	Mr.R.Jayaprakash
For Respondents 1 & 2	:	Mrs.Geetha Tamaraiselvan Special Government Pleader
For Respondent 3	:	Mr.N.Subbarayalu
For Respondent 4	:	Notice not ready
For Respondent 5	:	Mr.K.Govi Ganesan
For Respondent 6 & 7	:	Mr.Vadivelu Deenadayalan Additional Government Pleader

O R D E R

The petitioner has challenged order dated 04.03.2016 and consequential directions to the 3rd respondent to consider his representation dated 20.02.2015.

2. Heard learned counsel for the petitioner and learned counsel for the respondents.

3. The petitioner claims to be a resident in Survey No.654/4A, Mookandapalli Village, Hosur Taluk, Krishnagiri District (property/property in question). Paragraphs 2 and 3 of the affidavit filed in support of the Writ Petition set out the



details of the dispute in relation to the title to the property.

4. The petitioner has filed a suit in O.S.No.9 of 2013 on the file of the District Munsif, Hosur seeking declaration of title which is stated to be pending. At this juncture and since the declaration of title as between the parties has itself pending disposal, the petitioner has approached this Court challenging order dated 04.03.2016, which rejects her request for withdrawal of approval granted for layout on 21.09.2011, which has been obtained by the 5th respondent.

5. I find no infirmity, and in fact, no error is pointed before me in regard to the impugned order. Since the question of title is admittedly to be decided in civil proceedings, any relief that the petitioners believe they are entitled to, is best sought and obtained from the Civil Court.

6. As this Writ Petition is entirely devoid of merits, the same is dismissed. No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

S1

To

1.The District Collector,
Krishnagiri District,
Krishnagiri

2.The Block Development Officer,
Hosur,
Krishnagiri District.

3.The Commissioner,
Hosur Municipality,
Krishnagiri District.

4.The Panchayat President,
Mookandapalli Village,
Hosur Taluk,
Krishnagiri District.



5.The Deputy Director,
Hosur New Town Development Authority,
No.35/A, Nethaji Road, Madurai Bank,
1st Floor, Hosur,
Krishnagiri District-635 109.

6.The Regional Deputy Director,
Directorate of Town and Country Planning,
No.35/A, Nethaji Road, Madurai Bank,
1st Floor, Hosur,
Krishnagiri District-635 109.

+1cc to Mr.R.Jayaprakash, Advocate SR.No.12813
+1cc to Mr.K.Govi Ganesan, Advocate SR.No.12115
+1cc to the Government Pleader, SR.No.12351

W.P.No.27120 of 2016
and

W.M.P.Nos.23296, 23297 of 2016 & 37277 of 2017

MT (CO)
CB (07/04/2022)