



WP.No.17549 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

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A.Ramya

... Petitioner

Vs

1. The District Collector,
O/o.District Collectorate, Dharmapuri District.
2. The District Planning Officer,
O/o.District Rural Agency, Dharmapuri District.
3. The Assistant Director [Panchayath],
O/o.The Assistant Director [Panchayath]
Dharmapuri District.
4. The Black Development Officer,
O/o.Black Development Office,
Nallampalli Taluk, Dharmapuri District.
5. The President,
O/o.Sivadi Panchayath Office, Sivadi Village,
Nallampalli Taluk, Dharmapuri District.

... Respondents



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Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 4 to approve the blue print of the petitioner's building and consequently this Court may direct the respondents to consider the petitioner's representation on 20.06.2022 within the fixed stipulate time.

Petitioner : Mr.G.Munuraj

Respondents : Mr.K.Karthick Jeganath – R1 to R3

: Mrs.Mythreye Chandru,
Special Government Pleader – R4 & R5

ORDER

This Writ Petition has been filed to direct the respondents 1 to 4 to approve the blue print of the petitioner's building and consequently the respondents may be directed to consider the representation of the petitioner dated 20.06.2022 within the time stipulated by this Court.

2. The grievance of the petitioner is that despite the plan has been regularized by the Town Planning Authority, when the building plan has been submitted for sanction before the fifth respondent, the same has been



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rejected without assigning any reason. Therefore, it is his contention that even though the plan has been regularized, only due to political vendetta, the plan has been rejected.

3. Whereas, the learned Special Government Pleader appearing for the fifth respondent submitted that as the blue print submitted by the petitioner is not in terms of the rules, the plan has been rejected. If the revised plan is submitted on the basis of the construction, they will consider the same and pass Orders.

4. Admittedly, the building has been constructed 7 years ago. This fact is not disputed by both sides. In such view of the matter, the petitioner is directed to submit a revised plan according to the existing building. On the basis of the revised plan, the fifth respondent shall make an inspection and if the plan is in accordance with the existing building and other parameters, the fifth respondent shall approve the plan and if any open space is to be left, the same shall be indicated to the petitioner and after setting right the same, if the petitioner files an appropriate application along with the plan, the fifth respondent shall approve the plan.



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5. With the above direction, this Writ Petition is disposed of. No costs.

20.12.2022

vrc

To

1. The District Collector,
O/o.District Collectorate, Dharmapuri District.
2. The District Planning Officer,
O/o.District Rural Agency, Dharmapuri District.
3. The Assistant Director [Panchayath],
O/o.The Assistant Director [Panchayath]
Dharmapuri District.
4. The Black Development Officer,
O/o.Black Development Office,
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5. The President,
O/o.Sivadi Panchayath Office, Sivadi Village,
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