



W.P.No.24830 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.24830 of 2022

M.Nandhagopal

.. Petitioner

Vs.

1. The Deputy Director,
Town and Country Planning Authority,
Erode.

2. The Executive Officer,
Kodumudi Town Panchayat,
Kodumudi, Erode District.

3. The Assistant Executive Engineer,
Water Resource Department,
Irrigation Section, Kasipalayam,
Unjalur, Erode District.

4. The District Revenue Officer,
Erode, Erode District.

5. The Tahsildar,
Kodumudi Taluk Office,
Kodumudi, Erode District.

6. Kalavathi

.. Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the 1st respondent to dispose



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of the petitioner appeal dated 11.04.2022 under Section 17 of the Tamil Nadu Regulation of Unapproved Plot Rules.

For Petitioner : Mr.K.Myilsamy

For Respondents 1,3,4,5 : Mr.V.Nanmaran
Additional Government Pleader

For Respondent 2 : Mr.V.Jeevasiridharan
Additional Government Pleader

For Respondent 6 : Mr.R.Prabakar

ORDER

This writ petition has been filed seeking a direction to the first respondent to dispose of the petitioner's appeal dated 11.04.2022 under Section 17 of the Tamil Nadu Regulation of Unapproved Plot Rules.

2. It is the case of the writ petitioner that he is the owner of the subject property by virtue of the Will dated 07.02.2006 executed by his father Muthusamy. It is an agricultural land. To the eastern side of his land a waste water canal is running. Through this canal, the petitioner discharge excess water from his land otherwise water will be loaded in his land. The sixth respondent owned vast land adjacent to the petitioner's land. She



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developed her properties without obtaining any permission from the respondents. While developing she included the canal and formed lay out of house sites. To regularise the unapproved plots the Government passed an order wherein the sixth respondent made an application covering the entire canal area. The respondents without even verifying the same had approved the plots in the year 2018. Therefore, the petitioner made a representation for removal of encroachment and the same was ordered. In the meantime he has filed an appeal before the first respondent challenging the regularisation order and the same has not been disposed of. Therefore, the petitioner seeks a direction to dispose of the said appeal dated 11.04.2022 within a time frame.

3. As the appeal has been filed only on 11.04.2022, there cannot be any direction to dispose of the same immediately, however the first respondent is directed to consider the said appeal dated 11.04.2022 and dispose of the appeal expeditiously after affording an opportunity of hearing to all persons concerned including the 6th respondent. With the above direction this writ petition is disposed of. No costs.

12.12.2022

Index : Yes / No
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WEB COPY To

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N.SATHISH KUMAR, J.

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