



W.P. No. 28671 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM

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

W.P. No. 28671 of 2022

Sri Nandhanam Educational and Social Welfare Trust
Nandhanam College Road
Nandanam Nagar
Molagarampatti
Tirupattur Taluk and District
Rep. by its Chairman
M.Andal

... Petitioner

-VS-

1. The Director of Town and Country Planning
Anna Salai
Chennai - 600 002.
 2. The Deputy Director
Department of Town and Country Planning
Asiriyar Nagar
Tirupattur.
- 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 process the application submitted by the Petitioner Trust in respect of educational buildings constructed in S.No. 15/2, Molagarampatti Village, Tirupattur Taluk and District and to grant approval for the same in accordance with G.O. Ms. 76 Housing and Urban Development Department dated 14.06.2018, in compliance with the directions of this Court in W.A. No. 233 of



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2021 dated 10.02.2021, in consideration of application submitted in the year 2012, 2016 and 2018 by accepting necessary charges, fees etc., within a time frame to be fixed by this Court.

For Petitioner : Mr. S.Neduchezhiyan

For Respondents : Mrs. N.Senthi Selvi
Government Advocate (For R1)

Mr. T.Arun Kumar
Additional Government Pleader
(For R2)

ORDER

Mr. S.Neduchezhiyan, Learned Counsel for the Petitioner, Mrs. N.Senthi Selvi, Learned Government Advocate appearing for the First Respondent and Mr. T.Arun Kumar, Learned Additional Government Pleader appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition had been filed for directing the Respondents to process the application submitted by the Trust of the Petitioner in respect of educational buildings constructed in S. No. 15/2, Molagarampatti Village, Tirupattur Taluk, Tirupattur District and grant approval for the same in accordance with G.O.



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(Ms) No. 76, Housing and Urban Development Department dated 14.06.2018

in compliance with the directions given in the order dated 10.02.2021 in W.A.

No. 233 of 2021 while considering the applications submitted in the year 2012, 2016 and 2018 by accepting necessary charges, fees etc.,

3. It was brought to notice during the earlier hearing by Learned Government Advocate appearing for the Respondents that as per G.O. (Ms) No. 76, Housing and Urban Development [UD4(3)] Department dated 14.06.2018, the charges has to be paid along with online application, but the Petitioner had not made such payment. As it was subsequently represented by Learned Counsel for the Petitioner that payment could not be made either online or directly, this Court had passed the following self-explanatory order on 10.11.2022:-

“ An authorized representative of the Petitioner and the concerned official entrusted with the matter in the office of the Respondents shall appear in person before the Court on the next hearing along with laptop to ascertain the factual correctness of the contention of Learned Counsel for the Petitioner that online payment could not be made.

Post the matter on 16.11.2022.”



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4. When the matter is taken up for hearing today, Mr. V.Utharavel, Supervisor, Town and Country Planning, Tirupattur, who has appeared before this Court with laptop, has demonstrated that the web portal for receiving payment was functional, but no representative of the Petitioner is present in Court for making payment online, which blatantly exposes the lack of bonafides on the part of the Petitioner in making the required payment for processing the application as sought in the Writ Petition. In such circumstances, it is not possible to show any more indulgence to the Petitioner in this case.

In fine, the Writ Petition is dismissed. No costs.

16.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 06.01.2023.

To

1. The Director of Town and Country Planning
Anna Salai
Chennai - 600 002.
2. The Deputy Director
Department of Town and Country Planning
Asiriyar Nagar, Tirupattur.



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P.D. AUDIKESAVALU, J.

Maya

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