



W.P. No. 29030 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. 29030 of 2022

M/s. Green Earth Reality Private Limited Company
Represented by its authorized Signatory
Mr. N.Prem Kumar
No.D-10/3/1, Missinery Hill
Thalayati Manthu Road
Udagamandalam Town
The Nilgiris District.

... Petitioner

-VS-

1. The District Collector
Office of District Collector
No.171, Chuech Hill Road
Near Charing Cross
Pudumund, Ooty
Nilgiris (District)
Tamil Nadu – 634 001.
2. The Commissioner
Udagamandalam Municipality Office
Commissioner Road
Udagamandalam – 634 001
Nilgiris (District)
3. The Chairman
Local Planning Committee
Udagamandalam – 634 00
Nilgiris (District)

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the Respondents to pass



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orders on the Petitioner company application dated 03.08.2022 to seeking renewal of building plan license to construct a residential house at No.D-10/3/1, Missionary Hill, Thalayati Manthu Road, Udhagamandalam Town, The Nilgirs within time frame fixed by this Court.

For Petitioner : Mr. T.C.Gopalakrishnan

For Respondents : Mr. T.Arunkumar (For R1 and R3)
Additional Government Pleader

Mr. P.Srinivas (For R2)

ORDER

Heard Mr. T.C.Gopalakrishnan, Learned Counsel for the Petitioner and Mr. T.Arunkumar, Learned Additional Government Pleader appearing for the First and Third Respondents and Mr. P.Srinivas, Learned Counsel takes notice for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that it had made a representation dated 03.08.2022 to the First Respondent for renewal of building plan approval licence, but as no action has been taken thereon, the Writ Petition has been filed.



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3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 03.08.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain its position in that regard; and
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.01.2023 under written acknowledgment.



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4. In the result, the Writ Petition is disposed on the aforesaid terms. No

costs.

16.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 30.11.2022.

To

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P.D. AUDIKESAVALU, J.

Maya

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