



W.P.No.30437 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.30437 of 2022
and
W.M.P.No.29869 of 2022

1.Venkataraman
2.Rajam
3.Silambarasan

...Petitioners

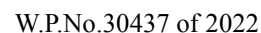
Vs.

1.Regional Director of Town and Country Planning,
Dharmapuri Regional Office,
No.83, Pedamaneri Road,
Appavu Nagar, Dharmapuri.

2.District Collector,
Dharmapuri District,
Dharmapuri.

3.Tahsildar,
Harur Taluk, Harur,
Dharmapuri District.

4.Block Development Officer,
Harur,
Dharmapuri District.



...Respondents

For Petitioners : Mr.N.Naganathan
For Respondents : Mr.Vadivelu Deenadayalan,
Additional Government Pleader for R1 to R3

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

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the validity or otherwise of the same, since much water has flowed under the bridge after the order was passed on 02.08.2018.

2. The petitioners had obtained planning permission from the Panchayat President in 2016 and had put up construction in violation of the said planning permission. Noting that the violation substantial, the Block Development Officer issued the impugned proceedings dated 02.08.2018 cancelling the said permission.

3. A third party by name Ravi approached this Court seeking action against the unauthorized construction put up by the petitioners in W.P.No.16178 of 2018 and this Court also issued a mandamus. Claiming that during the hearing of contempt petition, they came to know the order of cancellation, the petitioners have come up with this writ petition.

4. The petitioners had also approached the Town and Country Planning Department seeking to regularize the building on 22.11.2019. After a deep slumber for nearly 3 years the Deputy Director, Town and



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Country Planning, Dharmapuri rejected the application of the petitioners on 04.11.2022. Upon such rejection, notice under Sections 56 and 57 of Town and Country Planning Act have been issued by the Assistant Director, Town and Country Planning, Dharmapuri.

5. Therefore, we do not see any ground to sustain the challenge made by the petitioners to the order of cancellation passed by the Block Development Officer. We leave it open to the petitioners to avail appropriate legal remedy as against the notice issued under Sections 56 and 57 of the Town and Country Planning Act.

6. Accordingly, this writ petition is **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (K.B.,J.)
30.11.2022

dsa
Index : No
Internet : Yes
Speaking order



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To:-

WEB COPY

1. Regional Director of Town and Country Planning,
Dharmapuri Regional Office,
No.83, Pedamaneri Road,
Appavu Nagar, Dharmapuri.
2. District Collector,
Dharmapuri District,
Dharmapuri.
3. Tahsildar,
Harur Taluk, Harur,
Dharmapuri District.
4. Block Development Officer,
Harur,
Dharmapuri District.
5. The President,
H:Thottampatti Panchayat,
Harur Union,
Dharmapuri District.



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R.SUBRAMANIAN, J.
and
K.KUMARESH BABU, J.

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