



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.263 of 2022

and

W.M.P. (MD) .No.203 of 2022

Nagarajan

... Petitioner

Vs.

1.The Regional Deputy Director,
Town and Country Planning,
Sivagangai.

2.The Block Development Officer,
Ilaiyangudi Block Development Office,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from action of their cancellation processes against the approval of house sites layout granted to the petitioner's house sites Nos.24 and 25 to total extent of 2400 Square feet situated in Survey No.108/1, Subash Nagar-5, Perumbacheri Village, Ilaiyangudi Taluk, Sivagangai District by the first respondent vide his proceedings in Na.Ka.No.924/2018/CMa-4 dated 06.06.2018 by considering his representation dated 17.06.2015 within a time frame that may be fixed by this Court.

For Petitioner : Mr.K.Saravanan

For Respondents : Mr.J.JohnRajadurai,
Government Advocate.

ORDER

Heard Mr.K.Saravanan, learned counsel for the petitioner and Mr.J.JohnRajadurai, learned Government Advocate who takes notice for the respondents.

2. This Writ Petition has been filed in the nature of Mandamus seeking a negative relief against the respondent particularly, the first respondent/ the Regional Deputy Director, Town and Country Planning, Sivagangai not to initiate any action by cancelling the approval of house sites granted to the petitioner's



house site Nos.24 and 25 at Survey No.108/1, Subash Nagar-5, Perumbacheri Village, Ilaiyangudi Taluk, Sivagangai District. The first respondent had issued a proceedings dated 06.06.2018. The petitioner had given a representation on 30.12.2021.

3. Let me not enter into a detailed discussion on the facts but place an obligation on the first respondent to issue notice to the petitioner, call the petitioner for enquiry and thereafter take a decision with respect to cancellation of approval already granted to Plot Nos.24 and 25 measuring totally 2400 Square feet situated in Survey No.108/1, Subash Nagar-5, Perumbacheri Village, Ilaiyangudi Taluk, Sivagangai District.

4. The petitioner may also serve documents and the representation and/or documents are to be considered by the first respondent before an order is passed. The entire exercise by the first respondent shall be completed within a period of sixteen (16) weeks from the date of receipt of a copy of this order. Till such order is passed let no coercive action be taken by the first respondent. The direction not to take coercive action will lapse automatically once the first respondent passes an order on the representation given by the petitioner.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Regional Deputy Director,
Town and Country Planning,
Sivagangai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Block Development Officer,
Ilaiyangudi Block Development Office,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-3348[F] dated 01/02/2022)

W.P. (MD) .No.263 of 2022

31.01.2022

MGJ(14.02.2022) 3P 4C