



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3782 of 2022

Christopher

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Kanyakumari District.

2. The Director of Town Panchayats,
Nagercoil,
Kanyakumari District.

3. The Executive officer,
Valvachagostam First Grade Town Panchayat,
Kanniyakumari.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to grant building plan approval to the petitioner property in Survey No.517/6 Valvachagostam Village, Kalkulam Taluk, Kanyakumari District and to assess and assign a door number for the dwelling house by considering the petitioner's representation dated 06.12.2021 in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner	: Mr.R.Alagumani
For R1, R2	: Mr.D.Sasikumar
	Additional Government Pleader
For R3	: Mr.M.Prakash
	Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to grant building plan approval to the petitioner for his property in Survey No.517/6 Valvachagostam Village, Kalkulam Taluk, Kanyakumari District and to assess and assign door number for the dwelling house based on the petitioner's representation dated 06.12.2021 within a time frame to be fixed by this Court.



2.It is the case of the petitioner that he is the absolute owner of the aforementioned property. He has applied for a building plan approval with the third respondent on 06.12.2021. Since the said representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.R.Alagumani, learned Counsel appearing for the petitioner, Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of respondents 1 & 2 and Mr.M.Prakash, learned Additional Government Pleader who accepts notice on behalf of the third respondent.

4.The petitioner has filed documents along with the writ petition to substantiate his case. He has also filed a copy of the representation submitted with the third respondent seeking for building plan approval. The said representation was filed on 06.12.2021.

5.No prejudice would be caused to the respondents if the application of the petitioner is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6.Accordingly, this Court directs the third respondent to consider the petitioner's application dated 06.12.2021 seeking for building plan approval for construction of a house in his property in Survey No.517/6 Valvachagostam Village, Kalkulam Taluk, Kanyakumari District and to assess and assign door number for the dwelling house and pass final orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order, after affording a fair opportunity of hearing to the petitioner.

7.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 District Collector,
Office of the District Collector,
Kanyakumari District.

2. The Director of Town Panchayats,
Nagercoil,
Kanyakumari District.

3. The Executive officer,
Valvachagostam First Grade Town Panchayat,
Kanniyakumari.

+1 CC to M/s.SPL GP (SR-9452[F] dated 02/03/2022)

ORDER MADE IN
W.P. [MD]No.3782 of 2022
01.03.2022

kg (CO)

TR(11.03.2022) 3P 5C