



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4781 of 2022

and

W.M.P. [MD]No.3965 of 2022

WEB COPY

1.N.Chellapandi
2.N.Sundarapandi

... Petitioners

Vs.

1.The District Collector,
District Collectorate,
Madurai,
Madurai District.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Madurai District.

4.The Block Development Officer (Village Panchayats),
Usilampatti,
Madurai District.

5.K.Pothampatti Panchayat,
Rep. by its President,
K.Pothampatti Village,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fifth respondent to dispose of the petitioner's application for building plan approval for the proposed construction of residential house in S.No.492/75A, 495/75 B in Pothampatti Village, Usilampatti Taluk, Madurai District.

For Petitioner	: Mr.M.Mahaboob Fazil for Mr.T.Lajapathi Roy
For Respondents 1 to 3	: Mr.B.Saravanan Additional Government Pleader
For Respondents 4 & 5	: Mr.Ramesh Arumugam Government Advocate



O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the fifth respondent to dispose of the petitioners' application seeking for building approval for the proposed construction of residential house in S.No.492/75A, 495/75 B in Pothampatti Village, Usilampatti Taluk, Madurai District, based on the petitioners' application within a time frame to be fixed by this Court.

2.The petitioners claim the they are the owners of the aforementioned property. They propose to construct a building. The petitioners have applied for building plan permission with the fifth respondent on 04.03.2022. Since the said application has not been processed till date, the petitioners have filed this writ petition.

3.Heard Mr.M.Mahaboob Fazil for Mr.T.Lajapathi Roy, learned Counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3 and Mr.Ramesh Arumugam, learned Government Advocate who accepts notice on behalf of the respondents 4 and 5.

4.No prejudice would be caused to the respondents if the petitioners' application seeking for building plan approval for the proposed construction at the aforementioned property is considered on merits and in accordance with law after affording a fair hearing to the petitioners within a time frame to be fixed by this Court.

5.Accordingly, this Court directs the fifth respondent to consider the petitioners' application dated 04.03.2022 seeking for building plan approval for the proposed construction of residential house in S.No.492/75A, 495/75 B in Pothampatti Village, Usilampatti Taluk, Madurai District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioners within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

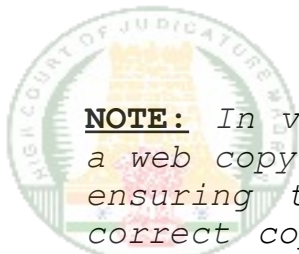
Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



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.

WEB COPY

To

- 1.The District Collector,
District Collectorate,
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Madurai District.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
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Madurai District.
- 3.The Tahsildar,
Usilampatti Taluk,
Madurai District.
- 4.The Block Development Officer (Village Panchayats),
Usilampatti,
Madurai District.
- 5.The President,
K.Pothampatti Panchayat,
K.Pothampatti Village,
Usilampatti Taluk,
Madurai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-13291[F]
dated 21/03/2022)

+1 CC to M/s.SPL GP (SR-13205[F] dated 21/03/2022)

ORDER MADE IN
W.P. [MD]No.4781 of 2022
18.03.2022

KG (CO)
GC (30.03.2022) 3P 8C