



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7081 of 2022

M.Bakkiyaraj

... Petitioner

Vs.

- 1.The Director of Town
and Country Planning,
No.807, Anna Salai,
Chennai - 600 002.
- 2.The District Collector,
Trichy District,
Trichy.
- 3.The Block Development Officer,
(Village Panchayats),
Anthanalur Panchayat Union,
Trichy District.
- 4.The Executive Officer/Secretary,
Kambarasampetti Panchayat,
Anthanalur Panchayat Union,
Trichy District.
- 5.A.Mohammed Imbhran
- 6.Harirun Beevi

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to consider and disposal of the appeal dated 03.12.2021 within the stipulated period, which this Court may deem fit.

For Petitioner	:	Mr.M.Jothi Basu
For R-1 and R-2	:	Mr.B.Saravanan, Additional Government Pleader.
For R-3 and R-4	:	Mr.A.K.Manikkam, Special Government Pleader.



ORDER

This Writ Petition has been filed for a Mandamus seeking for a limited relief of early disposal of the petitioner's statutory appeal pending on the file of the first respondent.

2. Aggrieved by the grant of planning approval to the sixth respondent on 25.07.2018 for her land bearing Plot No.16A, the petitioner has filed the statutory appeal under Rule 17, Regularization of Unapproved Plots and Layouts Rules, 2017 before the first respondent. According to the petitioner, though the sale deed for Plot No.16A gives extent of land as 1090 square feet, such an extent is not available in reality. Therefore, according to the petitioner, without actually measuring the land, the third respondent has granted planning approval to the sixth respondent. Aggrieved by the same, the petitioner has filed the statutory appeal before the first respondent on 03.12.2021. The petitioner seeks for early disposal of the said statutory appeal.

3. No prejudice would be caused to the respondents, if the petitioner's statutory appeal is disposed of within a time frame to be fixed by this Court, after affording a fair hearing to the petitioner as well as the respondents 5 and 6.

4. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's statutory appeal dated 03.12.2021 within a period of three (3) months from the date of receipt of a copy of this order after affording a fair hearing to the petitioner as well as the respondents 5 and 6.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The Director of Town
and Country Planning,
No.807, Anna Salai,
Chennai - 600 002.



2.The District Collector,
Trichy District,
Trichy.

3.The Block Development Officer,
(Village Panchayats),
Anthanalur Panchayat Union,
Trichy District.

4.The Executive Officer/Secretary,
Kambarasampetti Panchayat,
Anthanalur Panchayat Union,
Trichy District.

+1 CC to M/s.G.M. LAW OFFICE, Advocate (SR-19208[F]
dated 19/04/2022)

+1 CC to M/s.SPL.GP. (SR-19779[F] dated 20/04/2022)

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SG(CO)
GC(05.05.2022) 3P 7C