



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.9963 of 2022

K.G.Balasubramanian

... Petitioner

Vs.

1.The Member Secretary,
Madurai Local Planning Authority,
Madurai.

2.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai-625 020.

3.M.S.Thara

4.M.S.Aravinth

5.M.S.Ashwath

6.M.S.Jaidheep

... Respondents

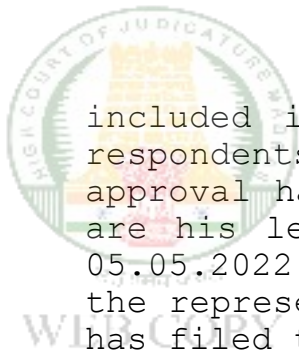
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st and 2nd respondents to cancel the layout approval issued in their proceedings in ம.வ./ம.உ.தி.கு.எண்.71/2019 & Approval No.1323/2019 respectively, in respect of the petitioner's family property situated in Resurvey No.14/1, Ilanthaikulam, Madurai East Taluk, Madurai District by considering the petitioner's representation dated 27.12.2019 and 05.05.2022 within the period stipulated by this Court.

For Petitioner	:	Mr.N.Sathish Babu
For Respondents	:	Mrs.D.Farjana Ghoushia Special Government Pleader for R.1
	:	Mrs.S.Devasena Standing Counsel for R.2

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first and second respondents to cancel the layout approval issued in their proceedings in ம.வ./ம.உ.தி.கு.எண்.71/2019 & Approval No.1323/2019 respectively, in respect of the petitioner's family property situated in Resurvey No.14/1, Ilanthaikulam, Madurai East Taluk, Madurai District, based on the petitioner's representation dated 05.05.2022 within a time frame to be fixed by this Court.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The petitioner claims that his family property has also been



included in the approved layout granted by the first and second respondents in their aforementioned proceedings. The layout approval has been obtained by M.S.K.Suresh. The respondents 3 to 6 are his legal heirs. The petitioner has given a representation on 05.05.2022 seeking for cancellation of the layout approval. Since the representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.N.Sathish Babu, learned Counsel for the petitioner, Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who accepts notice on behalf of the first respondent and Mrs.S.Devasena, learned Standing Counsel for the second respondent.

4. The petitioner has filed documents along with the writ petition to substantiate his claim that his family property was also included in the layout approval obtained by M.S.K.Suresh. The respondents 3 to 6 are his legal heirs. The petitioner has given a representation on 05.05.2022 to the respondents 1 and 2 seeking for cancellation of the layout approval. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the respondents 3 to 6 including granting them the right of personal hearing.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 05.05.2022 seeking for cancellation of the layout approval issued vide ம.வ./ம.உ.தி.கு.எண் .71/2019 & Approval No.1323/2019 respectively, within a period of twelve weeks from the date of receipt of a copy of this order, after affording fair hearing to the petitioner and the respondents 3 to 6 including granting them the right of personal hearing.

6. With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Vacation
Officer)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

SSL

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.

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



To

1.The Member Secretary,
Madurai Local Planning Authority,
Madurai.

2.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai-625 020.

+1 CC to M/s.SPL.GP (SR-24064[F] dated 23/05/2022)

W.P. (MD)No.9963 of 2022

20.05.2022

RD(02.06.2022) 3P 4C