



W.P(MD)No.20486 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20486 of 2022

and

W.M.P.(MD)No.14828 of 2022

K.Shanmugapriya

... Petitioner

Vs.

1.The Assistant Director,
O/o District Town and Country Planning,
Sector-6, Anaiyur,
Mudakkathan Salai,
Madurai-17.

2.The Assistant Director (Panchayats)
Madurai District.

3.The President,
Narasingam Village Panchayat,
Madurai District.

4.S.Tirugnanam

5.M.C.N.Manickam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 not to grant approval and planning permission in respect of the lands in S.No. 164/1, 2, 3, 4, 165/10, 11, 13, 191/1, 2, 4 in Narasingam Village, Madurai East Taluk, Madurai District without disposing the petitioner's representation dated 18.08.2022.



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For Petitioner : Mr.R.Suriya Narayanan
For R1 & R2 : Mr.M.Prakash
Additional Government Pleader
For R3 : Mr.M.Sarangan
Additional Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the Additional Government Pleader appearing for R1, R2 & R3.

2. Considering the nature of relief to be granted, issuance of notice to R4 & R5 is dispensed with.

3. The case of the petitioner is that she is a co-owner in respect of the petition mentioned property along with the fifth respondent. She had also filed a partition suit and it is said to be pending. Her grievance is that in such situation, the fifth respondent is proposing to develop the property as if it is his exclusive property. The petitioner has given a representation dated 18.08.2022 to the authorities in this regard. She wants the same to be considered.

4. No exception can be taken to the said request. The first respondent is directed to consider the said representation on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. I make it clear that the first respondent is obliged to hear the fifth respondent before passing the final order. I have not gone into the merits of the matter. It is for the first respondent to pass order one way or other.



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5. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.09.2022

Index : Yes / No

Internet : Yes/ No

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NOTE:Issue Order Copy on 05.09.2022

To

1.The Assistant Director,
O/o District Town and Country Planning,
Sector-6, Anaiyur,
Mudakkathan Salai,
Madurai-17.

2.The Assistant Director (Panchayats)
Madurai District.

3.The President,
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G.R.SWAMINATHAN, J.

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