



WEB COPY



W.P.No.8912 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2023

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THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.8912 of 2023

Shanmugavadivu
W/o.(late) Senthilkumar
D/No:4/313, Sivasakthi Colony
Dharauram Road
Udumalaipettai
Tiruppur District.

... Petitioner

Vs.

1.The District Collector
Collectorate Campus
Coimbatore District.

2.The Commissioner
Office of the Municipality
Pollachi Municipality
Coimbatore District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to consider and dispose the Petitioner's representation dated 13.03.2022 to approve the application for Planning permission with building license approval in Application No.076/CP/22-23/0010654 dated 20.12.2022 for the property situated at



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Pollachi Taluk in T.S.Ward No.5, Town Survey Number.6/9, R.S.No.935, Block 14, Venkatesa Colony at Pollachi Taluk, Coimbatore District within a stipulated time frame fixed by this Court.

For Petitioner : Mr.Sanjay N.Gandhi
For Respondents : Mr.R.Kumaravel (for R1)
Additional Government Pleader
Mr.B.Anand (for R2)
Standing counsel

ORDER

This Writ Petition has been filed seeking direction to the Respondent No.2 to consider and dispose the Petitioner's representation dated 13.03.2022 to approve the application for Planning permission with building license approval in Application No.076/CP/22-23/0010654 dated 20.12.2022.

2.The Petition property is situated at Pollachi Taluk in T.S.Ward No.5, Town Survey Number.6/9, R.S.No.935, Block 14, Venkatesa Colony at Pollachi Taluk, Coimbatore District.

3.The learned standing counsel appearing on behalf of R2 would submit



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that the Petitioner's application has been rejected as early as on 03.01.2023, without making Appeal against the said order, the Petitioner has come before this Court by way of this Writ Petition.

4.Heard the learned counsel for the Petitioner, learned Additional Government Pleader appearing on behalf of the 1st Respondent and the learned standing counsel appearing on behalf of the 2nd Respondent.

5.The written instruction given by the 2nd Respondent to the learned standing counsel is placed before this Court. On perusal of the same, I find that the original owner/Petitioner viz., Shanmugavadivu has filed application seeking planing permission, one more person has also gave objection as he is having undivided share of 50% in the petition property. Since it is a civil dispute in respect of right over the property, it appears that the application has been rejected.

6.Be that as it may, since the application has been rightly rejected, there is nothing to survives in this Petition.



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7.In fine, this Writ Petition is closed. No costs.

23.03.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

1.The District Collector
Collectorate Campus
Coimbatore District.

2.The Commissioner
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RMT.TEEKAA RAMAN.J,

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