



W.P.No.14626 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2023

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.14626 of 2023
and W.M.P.No.14110 of 2023

S.Jayaprakash

.. Petitioner

VS

- 1.The Director of Town and Country Planning (DTCP),
2nd, 3rd and 4th Floor,
C & E, Market Road,
Koyambedu, Chennai – 600 107.
- 2.The Deputy Director of Town and
Country Planning (DTCP),
No.6, Sannathi Street,
Subramanian Nagar, Sooramangalam,
Salem – 636 005.
- 3.The Assistant Director of Town and
Country Planning (DTCP),
No.6, Sannathi Street,
Subramanian Nagar, Sooramangalam,
Salem – 636 005.
- 4.The District Collector,
Salem District, Salem – 636 001.
- 5.The District Revenue Officer,
Salem District, Salem – 636 001.



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6.The Revenue Divisional Officer,
The Commissioner Office,
Attur, Salem District – 636 102.

7.The Tahsildar,
Tahsildar Office,
Thalaivasal Taluk, Salem District.

8.The Executive Officer,
Veeraganur Town Panchayat,
Veeraganur Post,
Thalaivasal Taluk, Salem District.

9.Arthanari

10.Rahman Seit

11.Mohamed Rafeek

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the 1st to 8th respondents not to give permission to the 9th to 11th respondents for converting the agricultural irrigation nanjai land comprising in S.No.456/1 measuring 2.97 cents into residential plots based on the petitioner's representation dated 29.04.2023 due to the reason the land comprising in S.No.456/1 measuring 2.97 cents in nanjai ayacut agricultural irrigation land situated at Veeraganur Village, Thalaivasal Taluk, Salem District.

For Petitioner : Ms.S.Vinodha

For Respondents : Mr.V.Manoharan,
Additional Government Pleader
for R1 to R8

ORDER

The petitioner has filed this writ petition seeking to issue a writ of mandamus to direct the official respondents / R1 to R8 not to give



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permission to private respondents / R9 to R11 for converting the agricultural irrigation nanjai land comprising in S.No.456/1 measuring 2.97 cents into residential plots based on the petitioner's representation dated 29.04.2023 situated at Veeraganur Village, Thalaivasal Taluk, Salem District.

2. Learned counsel for the petitioner submitted that the petitioner along with his uncle owns a property in S.No.456/1 measuring to an extent of 2.97 cents. Due to family circumstances, the petitioner sold the property to the 9th respondent, who undertook to pay the sale consideration after measuring the land. After execution of sale deed on 17.02.2023 for the value of Rs.7,97,000/-, the 9th respondent sold the property to respondents 10 and 11, without paying the sale consideration. Though the 9th respondent bought the land for agricultural purposes, he sold the same to respondents 10 and 11 and taking advantage of the absence of the petitioner, they are trying to convert the same into residential plots. Therefore, the petitioner made a representation dated 29.04.2023 to respondents 1 to 8 not to give permission to convert the land in question into residential plots. Since no action has been taken on



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the said representation, the petitioner has filed the present writ petition for the aforesaid relief.

3. Mr.V.Manoharan, learned Additional Government Pleader, who accepts notice on behalf of official respondents would submit that, if six weeks' time is granted, the third respondent who is competent authority shall consider the representation of the petitioner dated 29.04.2023 and pass appropriate orders.

4. In the light of the aforesaid submission made by learned Additional Government Pleader, without going into the merits of the matter, the writ petition is disposed of with a direction to the third respondent to consider the representation of the petitioner dated 29.04.2023 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Neutral Citation: Yes/No

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