



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.18450 of 2023

O.Obli Raj
S/o.Olisamy
149 B, Bucklands Beach Road
Bucklands Beach
Auckland

Rep. by her Power Agent
S.Gunasekaran
S/o.Sundaraj
27 P/20 F, Apex Colony
Anangoor Road
Komarapalayam 638 183
Namakkal District.

... Petitioner

vs.

1 The Block Development Officer,
Sankari Town Panchayat
Salem District.

2 The President
Katheri Panchayat
Sasnkari Taluk
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of

India for issuance of a Writ of Mandamus directing the 2nd Respondent



to consider the Petitioner's Application dated 13.03.2023.

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For Petitioner : Mr.P.Saravana Sowmiyan

For Respondents : Mr.Veda Bagath Singh
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to deal with the application submitted by the petitioner on 13.03.2023 wherein the petitioner has sought for building approval.

2. Heard Mr.P.Saravana Sowmiyan, learned counsel for the petitioner and Mr.Veda Bagath Singh, learned Special Government Pleader, appearing on behalf of respondents.

3. The grievance of the petitioner is that the petitioner had applied for building approval and at that time, the petitioner was informed that the land in question is a school site and hence, the orders were awaited from the District Collector. The petitioner immediately verified this fact from the office of the local planning authority and was not able to find any approved plan for any layout.



The petitioner also was not able to get any material to show that the subject land has been gifted to the local authority.

4. The further case of the petitioner is that the Block Development Officer [BDO], Sangagiri, has already issued proceedings dated 20.02.2023, directing a survey to be conducted and to take an opinion before proceeding further with the applications submitted by the petitioner. According to the petitioner, this was not followed up and the building plan approval is kept pending by the 2nd respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and the relief sought for in this writ petition, this Court does not want to go into the merits of the case and it will suffice if a direction is issued to the 2nd respondent to deal with the application submitted by the petitioner seeking for building approval on 13.03.2023, on its own merits and in accordance with law and a final decision shall be taken by the 2nd respondent within a period of eight



weeks from the date of receipt of a copy of this order.

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6. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the 1st respondent.

7. In the result, this writ petition is disposed of with the above directions. No costs.

23.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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To

- 1 The Block Development Officer,
Sankari Town Panchayat
Salem District.
- 2 The President
Katheri Panchayat
Sasnkari Taluk
Salem District.



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N. ANAND VENKATESH, J.
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