



WEB COPY



W.P.No.19655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.19655 of 2023

D.Raja

...Petitioner

Vs.

The Commissioner
Udhagamandalam Municipality
Hospital Road
Upper Bazaar
Ootacamund
The Nilgiris.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to grant building permission in the application filed by the petitioner bearing No.2021/02/04667 dated 01.02.2021, within a time frame fixed by this Court.

For Petitioner : Ms.Gopika Nambiar
for Mr.Sharath Chandran

For Respondent : Mr.P.Srinivas
Standing Counsel (Ooty Municipality)



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ORDER

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This Writ Petition is filed seeking a direction to the respondent to consider his building permission application dated 01.02.2021 and pass orders within a time frame fixed by this Court.

2. According to the petitioner, he is the absolute owner of the land ad-measuring an extent of 8 cents, situated at R.S.No.740, T.S.No.J/2/9/1 and J/2/54/1A at Nilgiris District, Ootacamund. He made an application on 01.02.2021 in Application bearing No.2021/02/04667 seeking building permission from the respondent under Rule 3 of the Tamil Nadu District Municipalities (Hill Stations) Building Rules, 1993.

3. It is also asserted by the petitioner that the District Level Building Approval Committee recommended to consider the application of the petitioner for building permission in its meeting held on 28.04.2022.

4. Mr.P.Srinivas, learned Standing Counsel (Ooty Municipality) who filed vakalat for the respondent, submitted that as soon as the respondent received communication from the District Level Building Approval



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Committee regarding the recommendation, necessary orders will be passed on the application of the petitioner.

5. In view of the same, this Court without going into to the merits of this case, issues a direction to the respondent to consider the application submitted by the petitioner dated 01.02.2021 and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

25.07.2023
(2/2)

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

To

The Commissioner
Udhagamandalam Municipality
Hospital Road
Upper Bazaar
Ootacamund
The Nilgiris.



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S.SOUNTHAR, J.
dna

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