



WEB COPY



W.P.No.2672 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2672 of 2014

and

M.P.No.1 of 2014

1.Samuel

2.Geethapramaleela

3.J.Rosalind

4.Rajeshwari

5.Shanmugam

6.Prema

7.Palaniappan

...Petitioners

Vs.

1.The Director of Town and Country Planning,
No.807, Anna Salai,
Chennai – 600 002.

2.Deputy Director of Town and Country Planning,
Coimbatore Division,
Corporation Commercial Complex,
Dr.Nanjappa Road, Coimbatore – 641 018.



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3.D.Thiyagarajan

(R3 – impleaded vide order dated
13.12.2022 made in W.M.P.No.32730/2022
in W.P.No.2672 of 2014)

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the 2nd respondent in Na.Ka.No.532/2013 Ko.Ma.3 dated 19.02.2013 and quash the same and consequently direct the respondents herein to pass suitable orders as sought for in the representation dated 02.2.2013 by either including the petitioners' plots with Manikandan Nagar or Royal Garden or to approve their plots by applying GO.Ms. 59 Municipal Administrations and Water Supplies Department dated 25.7.2006.

For Petitioners : Mrs.Vijayakumari Natarajan

For R1 & R2 : Mr.S.Ravichandran
Additional Government Pleader

For R3 : Not ready in notice

ORDER

The writ petition has been filed, challenging the order dated 19.02.2013 issued by the 2nd respondent and for a consequential direction to pass suitable orders, considering the representation submitted by the writ petitioners on 02.2.2013 to approve the plots.



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2. Approval of plots are to be granted only in accordance with the rules in force.

3. The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 made a submission that the petitioners sought for to regularize the plot and approve the same. Since there is no rules during the relevant point of time to approve the plot in that locality, the representation submitted by the writ petitioners was rejected through the impugned order dated 19.02.2013.

4. Now, ten (10) years had lapsed. Thus, this Court is of the considered opinion that if at all there is any scheme for regularization or approval of plots or otherwise in force, then the petitioners are at liberty to make a fresh application.

5. As far as the order impugned is concerned, the respondents 1 and 2 have stated that there was no rules during the relevant point of time, which need not be gone adjudicated in the present writ petition at this length of time.



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6. Regularization or approval of plots are to be granted scrupulously by following the procedures and the law in force. Since the representation of the writ petitioners was already rejected, there is no scope for further adjudication in the present writ petition.

7. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06.03.2023
(½)

Index : Yes
Speaking order
Neutral Citation: Yes
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To

1. The Director of Town and Country Planning,
No.807, Anna Salai,
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S.M.SUBRAMANIAM, J.

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(1/2)

06.03.2023