



WEB COPY



W.P.No.20417 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM : **JUSTICE N.SESHASAYEE**

W.P.No.20417 of 2023

Fridjo Jacob

... Petitioner

Vs.

1.The District Collector,
Udhagamandalam, The Nilgiris-643 001.

2.The Revenue Divisional Officer,
Udhagamandalam, The Nilgiris-643 001.

3.The Thasildhar,
Udhagamandalam, The Nilgiris-643 001.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to grant permission to ply heavy vehicle to level the petitioner's premises at Survey No.K/6/6, vide letter dated 05.07.2022 in light of proceedings of the respondents 2 and 3 in Na.Ka.No.R.DOUDG/284/2023-A3, dated 02.05.2023.

For Petitioner : Mr.Ramaswamy Meyyappan

For Respondents : Mr.M.Bindran
Additional Government Pleader



W.P.No.20417 of 2023

WEB COPY

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2. On 05.07.2022, the petitioner has applied for the use of JCB for levelling his ground with the 1st respondent / District Collector, Nilgiris, on the very date, he also applied for planning permission from the Town Planning Authority. The petitioner has obtained necessary approval from the Planning Authorities on 15.03.2023, and ever since, he has been knocking the doors of the 1st respondent for a permission to use JCB for levelling his ground. To enable the 1st respondent to take a decision, he has also obtained necessary certificates from other authorities as well, and they were also been made available to the Collector. The grievance of the petitioner is that the 1st respondent is yet to take a decision on the same.

3. Learned counsel for the petitioner submitted that the Planning Authority has granted permission for developing the property only for one year, and already four months have been lapsed due to unnecessary delay by the 1st



W.P.No.20417 of 2023

respondent / District Collector, Nilgirs.

WEB COPY

4. Mr.M.Bindran, the learned Additional Government Pleader appearing for respondents 1 to 3, on instruction makes a statement that the property in question was required to be inspected by the Assistant Director of Geology and Mining, Nilgiris, and it is only on his report, the District Collector, Nilgiris could take a call. Circulating the proceedings of the District Collector dated 11.07.2023, the learned counsel submitted that permission for using the JCB for levelling the ground of the petitioner has since been granted by the District Collector.

5. Inasmuch as the Collector has granted permission, there is nothing that is required to be done in this petition. The petition is hence closed.

12.07.2023

Index : Yes / No

Neutral citation : Yes / No

Anu / ds



W.P.No.20417 of 2023

N.SESHASAYEE.J.,

Anu/ds

To

1.The District Collector,
Udhagamandalam,
The Nilgiris-643 001.

2.The Revenue Divisional Officer,
Udhagamandalam,
The Nilgiris-643 001.

3.The Thasildhar,
Udhagamandalam,
The Nilgiris-643 001.

W.P.No.20417 of 2023

12.07.2023