



W.P.No.22029 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22029 of 2023

S.Raghunathan

...Petitioner

Vs.

- 1, The Director,
Directorate of Town and Country Planning,
No.807, Anna Salai,
Chennai-600 002.
- 2.The District Collector,
Office of the Collector,
Coimbatore-641 018.
- 3.The Deputy Director(LPA),
Office of the Directorate of Town and Country Planning,
Coimbatore Region,
S.F.No.50, Petrol Bunk Street, Gandhimanagar,
Coimbatore-641 004.
4. The Block Development Officer(Village Panchayat),
Anaimalai Panchayat Union,
Anaimalai-642 104.



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5. The President,
Divansaputhur Village Panchayat,
Anaimalai Taluk,
Coimbatore District.

..Respondents.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to pass orders on the proposal sent by the 4th respondent vide Na.Ka.No.066/2018/Aa1 dated 12.04.2023 in respect of regularization of the unapproved plots comprised in S.F.No.729A/WB1A2(New S.F.No.792 A/W) situated in Marchanaikan Palayam Village, Divansaputhur Panchayat, Anaimalai Taluk within the time limit that may be fixed by this Court.

For Petitioner : Mr.R.Nandha Kumar

For Respondent 1 to 3 : Mrs.S.Anitha
Special Government Pleader

For Respondents 4 & 5 : Mr.K.H.Ravikumar
Government Advocate

ORDER

Mrs.S.Anitha, learned Special Government Pleader takes notice for the respondents 1 to 3. Mr.K.H.Ravikumar, learned Government Advocate takes notice for the 4th and 5th respondents.



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2. The petitioner herein seeks a direction to 3rd respondent to consider the proposal forwarded to him by the 4th respondent with regard to regularization of unapproved plots comprised in S.F.No.729A/WB1A2(New S.F.No.792 A/W) in Marchanaikan Palayam Village, Divansaputhur Panchayat, Anaimalai Taluk and pass final orders.

3. According to the petitioner, the properties in S.F.No.729A/WB1A2(New S.F.No.792 A/W) situated in Marchanaikan Palayam Village originally belonged to petitioner's grandfather one Dharmalingam. After his death, there was a partition suit between the legal representatives of the said Dharmalingam namely the mother of the petitioner and her siblings. In the said partition suit, a final decree came to be passed by way of compromise on 05.12.2014. As per the compromise decree, the above said property was divided into 14 plots with a road adjoining all the plots to reach adjacent roads. The petitioner's mother was allotted with 4 plots and she had executed a settlement deed dated 10.08.2015 in favour of the petitioner in respect of Plot.No.3.



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4. The petitioner, his mother and maternal uncle applied for regularization of the plots which are unapproved. The 4th respondent forwarded the application filed by the petitioner, his mother and maternal uncle for regularization of 7 plots in the above said lands to the 3rd respondent by his proceedings dated 12.04.2023.

5. The main grievance of the petitioner is that though 4th respondent forwarded his proposal for regularization of the plots to 3rd respondent as early as on 12.04.2023, till date the 3rd respondent has not considered the same on merits.

6. In view of the limited prayer made by the petitioner, this Court is inclined to issue a direction to 3rd respondent to consider the proposal sent by the 4th respondent in his proceedings in Na.Ka.No.066/2018/Aa1 dated 12.04.2023 and pass final orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the above directions, this writ petition is disposed of. No costs.

26.07.2023

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

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S.SOUNTHAR, J.
nr

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5.The President,
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