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W.P.No.23432 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23432 of 2023

and

WMP.22965 of 2023

M/s.Katherine Nursery and Primary School
C/o.Ms.Nirmala Convent
Rep.by its Correspondent
Sister Michael Jenna Rakkini
Nagalur Post
Yercaud 636 602
Salem District.

...Petitioner

Vs.

1.The District Town Planning Department,
Rep by its Asst. Director
(Town Planning) / Member Secretary,
Office of the District Town Planning,
Salem District.
No.6, Sannathi Street,
Subramania Nagar, Sooramangalam,
Salem – 636 005.

2.The Commissioner
Panchayat Union,
Yercaud, Salem District.

3.The Thasildar
Yercaud,
Salem District.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider and pass orders to grant approval for the construction on the petitioner's application dated 06.05.2019 relating to the petitioner's school building put up at in S.No.19/1 and 19/2, Nagalur Post, Yercaud 636 602, Salem District expeditiously and in accordance with law.

For Petitioner : Mr.D.S.Raja Sekaran
for Mr.G.Mohanakrishnan

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents 1 and 2 to consider and pass orders on the application submitted by the petitioner dated 06.05.2019 seeking building plan approval for additional school building.

2. According to the petitioner, he is running a Nursery School for the people in Yercaud and also for the benefit of people at neighboring Villages. The petitioner has decided to construct additional building for the use of the school and applied for planning permission by submitting the



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application to the respondents 1 and 2 on 06.05.2191. It is also stated by the petitioner that he has enclosed all the required documents as per rules.

3. Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader, who takes notice for the respondents, on instructions, submitted that along with the application, the petitioner submitted all the documents as required by G.O. No.44 dated 02.04.1990, issued by the Department of Planning and Development.

4. In view of the stated position, this Court is inclined to issue a direction to the first respondent to consider the application of the petitioner dated 06.05.2019 on merits and in accordance with law and pass final orders within a period of 8 weeks from the date of receipt of copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

10.08.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

dna

To

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