



W.P.No.23941 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23941 of 2023

M/s.Accolade Builders and
Service Private Limited,
No.2/3, Nehru Nagar, 1st Street,
Adayar, Chennai – 600 020.
Represented by Authorized Signatory
Mr.Palanikumar

...Petitioner

Vs.

- 1.The Commissioner/Director of Town and Country Planning,
CMDA Office Complex,
Koyambedu,
Chennai – 600 107.
- 2.The Deputy Director of Town and Country Planning,
No. 14, Vivekananda Nagar,
Dindigul – 624 001.
Dindigul District.
- 3.The President/Executive Officer,
Villpatti First Grade Panchayat,
Kodaikanal Panchayat Union,
Dindigul District.



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4.The Special Officer/Commissioner,
Kodaikanal Panchayat Union,
Turneripuram Road,
Kodaikanal,
Dindigul District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the claim of the petitioner with regard to the grant of approval of revised road pattern proposed layout in Survey Nos. 2089, 2090/1, 2091/1, 2091/2, 2091/3, 2091/4, 2093/1, 2093/2, 2093/2, 2093/3, 2094, 2095/1, 2095/2, 2096/1, 2096/2, 2097/1, 2097/2, 2098/1 situated at Villpatti Village, Kodaikanal Taluk, Dindigul District without insisting the petitioner to apply on line mode based on the representation of the petitioner dated 17.08.2020 and 17.05.2023 for the revised layout.

For Petitioner : Mr.R.Singaravelan
Senior Advocate
for K.Arumugam

For Respondents : Mrs.S.Anitha for R1 & 2
Special Government Pleader

Mrs.Yamunadevi for R3 & 4
Special Government Pleader



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ORDER

The petitioner herein seeks a direction to the first respondent to consider his request for grant of approval for the revised road pattern in the proposed layout in Survey Nos.2089, 2090/1, 2091/1, 2091/2, 2091/3, 2091/4, 2093/1, 2093/2, 2093/2, 2093/3, 2094, 2095/1, 2095/2, 2096/1, 2096/2, 2097/1, 2097/2, 2098/1 situated at Villpatti Village, Kodaikanal Taluk, Dindigul District, without insisting the petitioner to apply on line mode and consider the same on merits based on the representation of the petitioner dated 17.08.2020 and 17.05.2023.

2. According to the petitioner, he purchased lands in the above said Survey Numbers in the Villpatti Village, Kodaikanal Taluk, Dindigul District and proposed a layout. The first respondent granted approval to the layout of the petitioner in Na.Ka.No.1566/2017/LA1 dated 19.04.2017 with certain conditions. However, the petitioner could not lay the road as per the road pattern in the approved layout due to availability of rock. Therefore, the petitioner prepared a revised road pattern and submitted a representation to the first respondent on 17.08.2020 seeking approval of his revised road pattern,



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but the same has not been considered by the first respondent till date. The petitioner also submitted that another representation dated 17.05.2023 requesting the petitioner to consider his application dated 17.08.2020 without insisting on submission of application through online mode as per the Government Order in G.O.Ms.No.56 dated 18.04.2022, which was passed subsequent to the representation of the petitioner, has also not been considered. The main grievance of the petitioner is that non consideration of his request for approval of revised road pattern which was submitted by him on 17.08.2020.

3. In view of the limited prayer made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 17.08.2020 and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

4. It is made clear that since the representation of the petitioner seeking approval of revised road pattern was submitted as early as on 17.08.2020 before the Government Order in GO.Ms.No.56 dated 18.04.2022,



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the first respondent shall consider the representation of the petitioner without insisting the petitioner to apply afresh through online mode.

5. With the above directions, this Writ Petition is disposed of. No costs.

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

To

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S.SOUNTHAR, J.
dna

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