



WEB COPY



W.P.No.25242 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25242 of 2023 and

1. M.Sathya
2. S.Sumathy

...Petitioners

Vs.

1. The State of Tamil Nadu
Rep. By its Secretary,
Department of Housing and Urban Developemnt.
Fort. St. George, Chennai
2. The Director of Town and Country Planning,
O/o. The Director of Town and Country Planning,
No.801, Anna Salai, Chennai
3. The District Collector
Namakkal District
Namakkal
4. The Deputy Director of Country and town Planning,
No.6, Sannadhi Street,
Subramanyar Nagar,
Sooramangalam, Salem 636 005.
5. The Assistant Director of Town and Country Planning,
Namakkal – 637 001.



W.P.No.25242 of 2023

6. The Assistant Director of Rural Development (Panchayat)
Namakkal, Namakkal District

7. The Block Development Officer,
Village Panchayat Rasipuram,
Namakkal

8. The President
Kurukapuram Village Panchayat,
Kurukapuram Post,
Rasipuram Taluk, Namakkal District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant final approval of the layout in S.No.57/1 A2B Kurukapuram Village, pursuant to the technical approval granted by the 6th respondent in Na.Ka.No.553/2020 dated 18.08.2021.

For Petitioners : Mr.N.Subramanian
for Mr.T.Dharani

For Respondents 1 to 6 : Mrs.S.Anitha
Special Government Pleader

For Respondents 7 & 8 : Mr.M.Rajendiren
Additional Government Pleader



W.P.No.25242 of 2023

ORDER

WEB COPY

The petitioners herein seek a direction to the respondents to grant final approval for their layout in S.No.57/1A2B Kurukapuram Village, pursuant to the technical approval granted by the 6th respondent in a proceedings Na.Ka.No.553/2020 dated 18.08.2021.

2.It is the case of the petitioners that they formed a layout of house plots in the name of Sree Narashimha Nagar and submitted the same for approval of the 6th respondent. The 6th respondent granted his technical approval by his order dated 18.08.2021. The petitioners already executed a gift deed in favour of Local Authority in respect of roads and lands allotted for public purpose. The main grievance of the petitioners is even though the technical approval was granted by the 6th respondent in favour of the petitioner's layout as early as 18.08.2021, the 8th respondent who has to give final approval has not taken any decision even after a lapse of nearly two years.

3.Mrs.S.Anitha, learned Special Government Pleader takes notice for the respondents 1 to 6. Mr.M.Rajendiren, learned Additional Government Pleader takes notice for the respondent 7 & 8.



W.P.No.25242 of 2023

WEB COPY

4. In view of the said submission made by the petitioners without expressing any opinion on the merits, this Court is inclined to issue a direction to the 8th respondent to consider the application of the petitioners for grant of approval for their layout in S.No.57/1A2B in the light of the technical approval granted by the 6th respondent on 18.08.2021 and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. With this direction, the writ petition stands disposed of. No costs.

28.08.2023

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



W.P.No.25242 of 2023

To

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Department of Housing and Urban Development,
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O/o. The Director of Town and Country Planning,
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WEB COPY



W.P.No.25242 of 2023

S.SOUNTHAR, J.

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W.P No.25242 of 2023

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