



WEB COPY



W.P.No.25099 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25099 of 2023

L.S.Sathishkumar

... Petitioner

VS.

1. Director of Town and Country Planning,
2nd, 3rd & 4th Floor,
C & E Market Road,
Koyambedu, Chennai – 600 107.
2. Deputy Director,
Erode District Town
and Country Planning Office,
Chennimalai Road, Opposite to Govt. I.T.T,
Erode-638 009.
3. Member Secretary,
Erode Local Planning Authority,
Tamil Nadu Housing Board
Shopping Complex,
Surampatti Nagar, Erode-638 009.
4. Assistant Director,
Erode Local Planning Authority,
Tamil Nadu Housing Board
Shopping Complex,
Surampatti Nagar, Erode-638 009.



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5. Commissioner/President,
Modakurichi Panchayat Union,
Modakurichi Taluk
Erode District-638104.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to dispose of the representation of the petitioner dated 05.08.2022 in respect of the lands comprised in Resurvey No.70/1 and subdivided Resurvey No. 70/3 situated at Lakkapuram Village, Modakurichi Taluk, Erode District, for an extent of 0.84 cents.

For Petitioner : Mr.A.Palaniappan

For R1 to R4 : Mrs.S.Anitha
Special Government Pleader

For R5 : Mr.G.Velu
Additional Government Pleader

ORDER

The writ petitioner seeks a direction to 1st respondent to consider his representation dated 05.08.2022 in respect of land in Resurvey No.70/1 and subdivided Resurvey No.70/3, Lakkapuram Village, Modakurichi Taluk, Erode District and pass orders.



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2. According to the petitioner, he is the owner of the property measuring to an extent of 0.84 cents in Resurvey No.70/1 and subdivided Resurvey No.70/3, Lakkapuram Village, Modakurichi Taluk, Erode District and he is cultivating the said land by paying land tax to the Government. It is further stated that in the documents of the 1st respondent his land is mentioned as 'Park'. Therefore, he submitted a representation dated 05.08.2022 to the 1st respondent requesting him to remove the wrong entry in the records of the 1st respondent and the same has not been considered. Therefore, the petitioner has come before this Court.

3. Mrs.S.Anitha, learned Special Government Pleader takes notice for respondents 1 to 4 and Mr.G.Velu, learned Additional Government Pleader takes notice for 5th respondent.

4. The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the representation of the petitioner dated 05.08.2022 will be considered on merits and in accordance with law.



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5. In view of the stand taken by the learned Special Government Pleader appearing for respondents 1 to 4, without expressing any opinion regarding the right of the petitioner over the above said land, this Court is inclined to direct the 1st respondent to consider the representation of the petitioner dated 05.08.2022 and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

22.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

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