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W.P.(MD)NO.1523 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1523 of 2023 and
W.M.P.(MD)Nos.1392 & 1393 of 2023

S.Ramadoss

... Petitioner

Vs.

1. The Director of Town and Country Planning,
Chennai.
2. The Assistant Director of Town and Country Planning,
Ramanathapuram,
Ramanathapuram District.
3. The Commissioner,
Paramakudi Municipality,
Ramanathapuram District.
4. The Sub Registrar,
Paramakudi,
Ramanathapuram District.
5. Boominathan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the impugned order in Na.Ka.No.453/2022/Ramnad dated 21.06.22 on the file of the 2nd respondent and the consequent



impugned order in Na.Ka.No.773/2022/Ramnada dated 29.12.22 on the file of the 2nd respondent and quash the same and further directing the 1st respondent to dispose of the appeal filed by the petitioner in Appeal No.019212/2022 dated 14.09.22 filed by the petitioner.

For Petitioner : Mr.G.Prabhu Rajadurai

For R-1 to R-3 : Mr.M.Lingadurai,
Special Government Pleader.

For R-4 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 3 and the learned Additional Government Pleader appearing for the fourth respondent.

2. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.



3. The petitioner and the fifth respondent are brothers.

The fifth respondent now wants to develop the petition mentioned property. The petitioner challenges the planning approval granted in his favour. The petitioner had already filed O.S.No.71 of 2022 on the file of the Sub Court, Paramakudi, against him.

4. The petitioner can very well work out his rights therein. If respondents 1 and 2 are not parties to the pending suit, the petitioner can very well implead them in the pending suit. Even otherwise, I.A. alone can be filed against respondents herein in the pending suit. If such I.A. is filed, the same shall be numbered immediately and without any delay and disposed of 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 liberty to the petitioner and the direction to the learned Sub Judge, Paramakudi, to dispose of the I.A. proposed to be filed by the petitioner within the time stipulated above, this writ petition stands disposed of. I make



it clear that I have not gone into the merits of the matter. No costs. Consequently, connected miscellaneous petitions are closed.

27.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

Note : (1) Issue order copy on 27.01.2023.

(2) Registry to mark a copy of this order to the learned Sub Judge, Paramakudi.

To:

1. The Director of Town and Country Planning,
Chennai.
2. The Assistant Director of Town and Country Planning,
Ramanathapuram,
Ramanathapuram District.
3. The Commissioner,
Paramakudi Municipality,
Ramanathapuram District.
4. The Sub Registrar,
Paramakudi,
Ramanathapuram District.



WEB COPY



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G.R.SWAMINATHAN,J.

PMU

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27.01.2023