



W.P.(MD) No.11799 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.05.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11799 of 2023

Denny Solomon

... Petitioner

Vs.

1. The Executive Officer,
Killiyoor Town Panchayat
Vilavancode Taluk
Kanyakumari District.

2. The Assistant Director,
Town and Country Planning,
Collectorate, Kanyakumari District.
At Nagercoil.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent herein to grant final approval on the application of the petitioner dated 05.01.2023 for the newly constructed Ice Block manufacturing unit of the petitioner in Survey No.512/13 measuring 0.11.50 Hec., Killiyoor A Village, vide Patta No.1474 and Survey No.511/9A2 measuring 0.3.56 Hec.,



W.P.(MD) No.11799 of 2023

Killiyoor A Village, Killiyoor Taluk, Kanyakumari, as per the Technical Approval granted by the 1st respondent in his proceedings dated 28.12.2022 .

For Petitioner : Mr.Isaac Mohanlal
Senior Counsel
for Mr.H.Thayumanaswamy

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
Mr.C.kishore for Intervenors

ORDER

Heard the learned Senior Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. This Court also heard the learned counsel appearing for the intervenor.

2. The petitioner wants to setup the petition mentioned manufacturing unit. However, the learned counsel appearing for the intervenor voiced strong objections. It is stated that the writ petition had already been filed for forbearing the authorities from granting permission to the petitioner herein.



W.P.(MD) No.11799 of 2023

WEB COPY

3. The learned Standing Counsel submitted that the petitioner's request is to be placed for consideration of the council, whose meeting is to be held shortly.

4. The intervenors are none other than the members of the council and therefore, they will definitely have a say when the matter is being deliberated. The first respondent is directed to take a call on the petitioner's application within a period of six weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

5. Accordingly, the writ petition is disposed of. No costs.

11.05.2023

NCC :No
Internet :Yes
Index :No
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W.P.(MD) No.11799 of 2023

To

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W.P.(MD) No.11799 of 2023

G.R.SWAMINATHAN, J.

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