



W.P(MD)No.13419 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13419 of 2023

R.DhanuskodiAthithan

... Petitioner

Vs.

1.The Secretary

Housing and Urban Development Department,
Secretariat,
Chennai-600 009.

2.The Director

Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor, C and E Market Road,
Koyambedu,
Chennai-600 107.

3.The Commissioner

Tirunelveli Corporation,
Tirunelveli-627 001.

4.The Deputy Director/Member Secretary,

Tirunelveli Local Planning Authority,
South Bypass Road,

Tirunelveli- 627 005.

...Respondents



W.P(MD)No.13419 of 2023

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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to consider the representation of the petitioner dated 24.02.2022 and pass orders to delete the proposed 18 mtr. wide A-A scheme road from the V.M.Chattram Detailed Development Plan No.9 and to release Plot Nos.95 to 102 situate in S.No.142/3 Palayamkottai Panchayat Union, Vijayaraghava Mudaliar Chatram Village, Tirunelveli Taluk, now within Tirunelveli City Municipal Corporation now new T.S.Ward BR, Block 15, T.S.No.20/3A part from the V.M.Chattram Detailed Development Plan No.9, in accordance with the Resolution, dated 03.04.2023.

For Petitioner : Mr.Y.Prakash

For Respondents : Mr.N.Muthu Vijayan - for R1, R2 & R4

Special Government Pleader

M/s.M.Anitha - for R3

ORDER

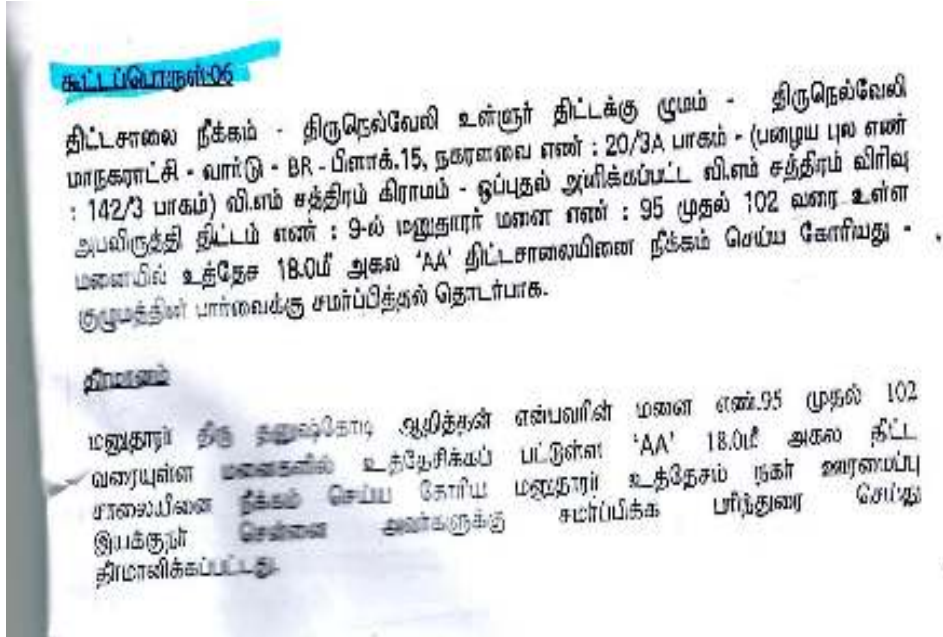
The Writ Petition has been filed in the nature of a Mandamus seeking a direction to consider a representation of the petitioner dated 24.02.2022, and pass orders deleting a proposal to



W.P(MD)No.13419 of 2023

construct 18 meter wide AA scheme road from V.M.Chattram Detailed Development Plan No.9 and consequently, to release plot Nos.95 to 102 situated at Survey No.142/3 Palayamkottai Panchayat Union, Vijayaraghava Mudaliar Chatram Village, Tirunelveli, in New T.S.ward No. Ward BR, Block 15, T.S.No.20/A which is part of V.M.Chattram Detailed Development Plan No.9.

2. A resolution had already been passed by Tirunelveli Local Planning Authority which is the fourth respondent on 03.04.2023. A copy of that particular resolution had been placed for consideration before this Court. The same is extracted in entirety :





W.P(MD)No.13419 of 2023

3. It had been resolved to place the request of the petitioner to release aforementioned plots before the second respondent.

4. It is seen that the papers have now been forwarded to the Directorate of Town and Country Planning at Chennai. When the said official respondent has to take a decision, the petitioner cannot now intervene in that process and give a representation and seek a direction from this Court to release the plots. The petitioner cannot give dictate as to whether the construction of the road should be confirmed or not. The fourth respondent has already passed a resolution. Let that take its own course and let the Director pass orders in accordance with the records available. The petitioner's representation need not be considered.

5. Accordingly, the Writ petition stands dismissed. No costs.

09.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
RM



W.P(MD)No.13419 of 2023

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W.P(MD)No.13419 of 2023

C.V.KARTHIKEYAN, J.

RM

W.P(MD)No.13419 of 2023

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