



W.A.(MD) No.918 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.918 of 2023
and
C.M.P.(MD) Nos.7253 & 7254 of 2023**

A.Chandrakumar

... Appellant

-VS-

1. The District Collector,
Karur District, Karur.
2. The Assistant Director of Town
and Country Planning,
Karur District, Karur.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.26, Ramakrishnapuram (West),
Karur District- 639 001.
4. The Revenue Divisional Officer,
Karur, Karur District.



W.A.(MD) No.918 of 2023

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5. The Block Development Officer,
K.Paramathy, Pugalur Taluk,
Karur District.
6. The Executive Engineer,
TANGEDCO, (Operations and Maintenance),
Gramiyam, Karur District.
7. The Chairman,
K.Paramathy Panchayat Union,
Karur District.
8. The President,
Thennilai Melpagam Village Panchayat,
Pugalur Taluk, Karur District.
9. R.Raja
10. K.Parthiban
11. P.Ramalingam
12. N.Chinnasamy
13. N.Thangavel
14. R.Nachimuthu
15. A.P.Duraisamy
16. K.Rajamani

... Respondents/
Respondents



W.A.(MD) No.918 of 2023

WEB COPY Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 09.06.2023, passed in W.P.(MD) No.13369 of 2023, on the file of this Court.

For Appellant : Mr.K.Mahendran
For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R4

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the official respondents.

2. The order that was impugned in the writ petition is a resolution passed by the seventh respondent – K.Paramathey Panchayat Union deferring decision on the application of the petitioner for approval of the proposed construction of a cement blending unit. The deferral was solely based on the pendency of the writ petition in W.P.(MD) No.27905 of 2022 before this Court. The Writ Court dismissed the writ petition in W.P.(MD) No.13369 of 2023 with costs of Rs.25,000/- (Rupees Twenty Thousand only) on the ground that the



W.A.(MD) No.918 of 2023

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petitioner has indulged in Forum shopping, since the said writ petition in W.P. (MD) No.27905 of 2022 was pending as on that date.

3. It is now brought to our notice that the said writ petition was dismissed by us on 21.06.2023. In view of the said disposal, the only reason assigned in the proceedings impugned in the writ petition no longer survives. Hence, the writ appeal is allowed. The order of the Writ Court is set aside including the imposition of costs and there will be a direction to the seventh respondent to consider the application of the petitioner for approval and pass necessary orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

27.06.2023

NCC : No
Index : No
Internet : Yes
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W.A.(MD) No.918 of 2023

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W.A.(MD) No.918 of 2023

R.SUBRAMANIAN, J.
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L.VICTORIA GOWRI, J.

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W.A.(MD) No.918 of 2023

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