



W.P(MD)No.11807 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11807 of 2015

Pitchammal

... Petitioner

Vs.

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Commissioner of Municipality,
Sankarankovil Municipality,
Sankarankovil,
Tirunelveli District.
- 3.The Executive Engineer,
Sankarankovil Municipality,
Sankarankovil,
Tirunelveli District.
- 4.The Building Inspector,
Sankarankovil Municipality,
Sankarankovil,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to issue building plan approval in respect of petitioner upcoming house building in Survey No. 238/1A situated at 30th Ward, Achampatti Village, Sankarankovil Taluk, Tirunelveli District on the basis of the petitioner's representation dated 29.06.2015.



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For Petitioner : Mr.I.Indrachithu
For Respondents : Mr.SRA.Ramachandran
Additional Government Pleader for R1
: Mr.P.Mahendran
Standing Counsel for R2 to R4

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks building plan approval for putting up the house building in the petition mentioned address. The writ petition was filed in July 2015.

3. When the matter was taken up for hearing, the learned standing counsel appearing for the local body submitted that even before the writ petition was filed, the petitioner's request was rejected. The rejection order proceeds on two grounds.

(I) failure of the petitioner to furnish patta

(II) her failure to leave sufficient set back area.

4. If the petitioner rectifies the defects pointed out in the rejection order and re-submits her application, the second respondent shall pass appropriate order thereon in accordance with law within a period of eight weeks from the date of receipt of the application.



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5. The Writ Petition is disposed of accordingly. No costs.

06.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

The District Collector,
Tirunelveli District,
Tirunelveli.



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G.R.SWAMINATHAN, J.

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