



W.P(MD)No.24939 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24939 of 2023

and

W.M.P(MD)No.21130 of 2023

A.Mariyakavitha

... Petitioner

Vs.

The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to grant building permission for the building situated at Door No. 111/96D1, Polpettai, Ezhil Nagar, State Bank Colony, Thoothukudi, on the basis of the application for building permission submitted by the petitioner along with DD for a sum of Rs.15,000/- on the basis of the representation of the petitioner dated 15.09.2023 within a time frame fixed by this Court.



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For Petitioner : Mr.B.Saravanan
Senior Advocate
for C.Jeganathan

For Respondent : Mr.N.Anand Kumar
Standing Counsel

ORDER

Heard the learned Senior Counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the respondent Corporation.

2. The petitioner purchased a small piece of land in the year 2020. She put up construction thereon. She did so without getting planning approval. Now she wants to regularise the same.

3. The petitioner submitted an application along with Demand Draft. It was returned by the respondent. Hence the writ petition came to be filed for directing the respondent to grant building permission on the basis of her application.



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4. The learned Standing Counsel pointed out that the writ petitioner felt inspired to submit regularisation application only after the third party filed writ petition before this Court for pulling down the unauthorizedly put up structure. I need not go into the reason which compelled the petitioner to submit an application. The learned Standing Counsel thereafter submitted that the petitioner has to necessarily move the respondent in online mode.

5. The learned Senior Counsel submitted that the petitioner is encountering difficulties in uploading the document in online.

6. The petitioner is called upon to again endeavor to submit the application in online mode. If the petitioner is unable to fill up certain mandatory fields and she is also encountering difficulties, the petitioner may submit a representation setting out the same. Along with the said representation, the petitioner can enclose the application and also the Demand Draft for Rs.15,000/- (Rupees Fifteen Thousand only). If the reasons set out by the petitioner in uploading the document through



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online mode is found to be justified, the respondent is obliged to accept the offline application and pass order thereon in accordance with law within a period of ten weeks from the date of receipt of a copy of this order. The respondent is also obliged to hear any other interested parties. When the respondent is insisting on submission of online applications, it is their duty to facilitate such submission.

7. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi.



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G.R.SWAMINATHAN, J.

MGA

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