



W.P.No.9666 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.9666 of 2019

Bondada Venkateswararao

... Petitioner

Vs.

- 1 Union of India,
The Government of Puducherry,
Rep.by its Chief Secretary,
Chief Secretariat, Goubert Avenue,
Puducherry-605 001.
- 2 The Chief Town Planner,
Town and Country Planning Department,
Jawahar Nagar, Bhoomianpet, Reddiarpalayam,
Puduchery - 605 001.
- 3 The Member Secretary
Yanam Planning Authority, Yanam,
Puducherry UT-533 464.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1-3 (One to three) to pass necessary orders to reclassify the land zone from



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Agricultural Zone to Residential Zone, the Land owned and enjoyed since 1971 by the petitioner, a senior citizen aged over 86 years; the conversion from Agriculture to Residential was already granted to the adjoining land on the Southern Side of the Petitioner's property, the petitioner is a similarly placed person holding the land measuring about acres 3.58 cents comprised in T.S.No.A/2/16/1; R.S.No.26/1; C.S.No.2/39/66/2/2; 2/40/66 situate in Agricultural zone, Mettacur, Yanam, Puducherry UT.

For Petitioner : Mr.S.Venkata Krishna Kumar

For Respondent : Mr.Ramasamy Meyappan
Government Advocate (Pondy)

ORDER

This Writ Petition has been filed for a direction, directing the respondents to pass necessary orders to re-classify the lands from agricultural to residential zone for the property owned by the petitioner ad measuring 3.58 cents comprised in T.S.No.A/2/16/1, R.S.No.26/1, C.S.No.2/39/66/2/2 situate at Mettacur, Yanam, Puducherry Union Territory.



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2. The petitioner owned the subject land in T.S.No.A/2/16/1, R.S.No.26/1, C.S.No.2/39/66/2/2 situate at Mettacur, Yanam, Puducherry Union Territory through the sale deed dated 08.09.1971 vide Document No.96/1971. It is within the zone of agricultural and in order to develop the same, the petitioner submitted an application to re-classify the agricultural land as residential zone.

3. On instructions, Mr.Ramasamy Meyappan, learned Government Advocate appearing for the respondents submitted that the petitioner did not submit any application before the original authority namely, the 3rd respondent. Further, the request is of the petitioner and similarly placed persons is under consideration with the 1st respondent.

4. In view of the above, the petitioner is directed to submit a fresh application within a period of two weeks before the 3rd respondent for conversion of his land from agricultural to residential zone. On receipt of the same, the 3rd respondent is directed pass appropriate orders on merits and in accordance with law within a period of twelve weeks thereafter.



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WEB COPY 5. This Writ Petition is disposed of with the above directions. No costs.

26.09.2024

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Internet : Yes/No

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No



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G.K.ILANTHIRAIYAN, J.

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