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W.P.No.10294 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10294 of 2024

A.Palanisamy

...Petitioner

Vs.

The President
Elunoonthimangalam Village Panchayat
Elunoothimangalam
Kodumudi Taluk
Erode District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to issue final layout approval for the plots in the approved layout in No.86/2023 situated in R.S.No.265,267/3,267/4C and 267/5, Elunoothimangalam A-Village, Kodumudi Taluk, Erode District to the extent of 16.87 acres by taking note of the Assistant Director, Town and Country Planning, Erode in its proceedings Roc.No.SBRR46PS/2023-TCP, dated 28.10.2023.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.Vadivelu Deenadayalan, AGP

ORDER



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This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondent to issue final layout approval for the plots in the approved layout in No.86/2023 situated in R.S.No.265,267/3,267/4C and 267/5, Elunoothimangalam A-Village, Kodumudi Taluk, Erode District to the extent of 16.87 acres by taking note of the Assistant Director, Town and Country Planning, Erode in its proceedings Roc.No.SBRR46PS/2023-TCP, dated 28.10.2023.

2. The case of the petitioner is that he and three others purchased a land situated in R.S.No.265,267/3, 267/4C and 267/8, Elunoothimangalam A-village, Kodumudi Taluk, Erode District to the extent of 16.87 acres. They applied for getting layout approval and sell the same and hence the petitioner made online application before the Director of Town and Country Planing for getting plot pattern technical concurrence after concurrence in SWP Application No.SBRR46PS/2023-TCP3, dated 18.10.2023. After obtaining the same, the petitioner approached the Assistant Director, Town and Country Planning, Erode for getting planning permission, accordingly the Assistant Director granted permission in his proceedings Roc.No.SBRR46PS/2023-TCP



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date 28.10.2023 in turn, the Assistant Director communicated the same to the respondent herein for issuance of final layout approval for S.F.Nos.265,267/3,267/4C and 267/5, Elunoothimangalam A-Village, Kodumudi Taluk, Erode District.

3. The petitioner executed a gift deed in favour of the respondent for roads, park and public purpose area in document No.1659/2023 dated 15.09.2023 and also the petitioner executed gift deed in favour of the TANGEDCO in document No.1660/2023 dated 15.09.2023 and the same was handed over to the respondent and approached the respondent in person on several occasion and made request to issue final layout approval, but subsequently made written representation on 26.03.2024 to issue final layout approval, but till today no order has been passed. Hence, the present Writ Petition.

4. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.Vadivel Deenadayalan, learned Additional Government Pleader for the respondent.

5. Learned Additional Government Pleader appearing for the



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respondent produced a letter dated 25.05.2024 by the respondent stating that due to the election code of conduct, the representation of the petitioner was not considered and order was not passed and submits that once the elections result is published necessary orders will be passed considering the representation of the petitioner.

6. In view of the submission made by the learned Additional Government Pleader, the respondent/President Elunoothimangalam Village Panchayat, Kodumudi Taluk, Erode District is directed to pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, with the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

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Index:Yes/No
Speaking order/Non-speaking order
kpr



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WEB COPY Copy To:

The President
Elunoonthimangalam Village Panchayat
Elunoothimangalam
Kodumudi Taluk
Erode District.

V.BHAVANI SUBBAROYAN,J.



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