



WEB COPY



W.P.No.23955 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.23955 of 2018

and

W.M.P.Nos. 27901 & 27902 of 2018

1.Parvathamma

2.Yashodhamma

.... Petitioner

Vs

1.The District Collector,  
(Chairman H.N.T.D.A),  
Collectorate-Hosur Salai,  
Krishnagiri-630 070.

2.The Assistant Director Panchayat,  
Collectorate, Hosur Salai,  
Krishnagiri-635 115.

3.The Director of Town & Country Planning,  
No.807, Anna Salai,  
Chennai-600 002.

4.The Deputy Director of Town  
and Country Planning,  
No.83, Pedamaneri Road,  
Appavu Nagar, Dharmapuri-636 070.

5.The Member Secretary,  
Hosur New Town Development Authority,  
No.35/A, 1st Floor, Nethaji Road, Hosur-635 109.



W.P.No.23955 of 2018

6.The Block Development Officer,  
Hosur Panchayat Union,  
Taluk Office Complex,  
Hosur-635 109.

7.The President,  
Sevaganapalli Village Panchayat,  
Sevaganapalli Village and Post,  
Hosur Taluk-635 103.

8.K.Srinivas ..... Respondents

**Prayer :** Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents 2 to 7 herein from sanctioning any layout plan for the land in S.No.18/4L in Kothapalli Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.C.Parthiban

For R1 to R6 : Mr.V.Manoharan  
Additional Government Pleader

### **ORDER**

This Writ Petition has been filed forbearing the respondents 2 to 7 from sanctioning any layout plan for the land comprised in S.No.18/4L in Kothapalli Village, Hosur Taluk, Krishnagiri District.

2. Heard the learned counsel appearing for the petitioners as well as the learned Additional Government Pleader appearing for the respondents 1 to 6 and perused the materials available on record.



W.P.No.23955 of 2018

3. The case of the petitioners is that they filed a suit in O.S.No.497 of 2004 on the file of the District Munsif Court, Hosur, for partition and separate possession. The said suit was decreed, by a Judgment and Decree dated 26.06.2009, in which the petitioners were allotted 1.26 acres of land comprised in S.No.18/4L. They were issued patta in Patta No.171. As per the final decree dated 11.03.2013, they had taken possession of the subject property. While being so, one Gopal Reddy filed a suit in O.S.No.132 of 2012 on the file of the District Munsif Court, Hosur and sold out the subject property to the third parties. The 8<sup>th</sup> respondent, being the power holder to the third parties, applied for layout approval in respect of the subject property. Therefore, the petitioner objected the same.

4. A perusal of the counter filed by the 5<sup>th</sup> respondent reveals that on the application submitted by the 8<sup>th</sup> respondent, the 5<sup>th</sup> respondent, as per the Rule 2(2)(ii) of G.O.Ms.No.78, Housing and Urban Development (UD4(3)) Department, dated 04.05.2017 and also in accordance with Rule made in G.O.Ms.No.172, Housing and Urban Development (UD4(3)) Department, dated 13.10.2017, given approval



W.P.No.23955 of 2018

with conditions by the proceedings in Na.Ka.No.2024/2017/HNTA(1), dated 09.03.2018 in Regularization No.43 of 2018. Further, the 8<sup>th</sup> respondent should fulfil all the conditions for approval order.

5. That apart, the land comprised in S.No.18/4H, 18/4I, 18/4J, 18/4K, 18/4M, 18/4N, 18/4Opt, 18/4P admeasuring 14.00 acres is not disputed by the petitioner. The petitioner disputed only in respect of the property comprised in S.No.18/4L. However, the 8<sup>th</sup> respondent did not even apply for approval for the land comprised in S.No.18/4L. Therefore, the prayer sought for in this writ petition cannot be considered. Thus, the writ petition lacks merits and it is liable to be dismissed.

6. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

19.09.2024

Internet: Yes  
Index : Yes/No  
Speaking/Non Speaking order  
Lpp



W.P.No.23955 of 2018

To

- 1.The District Collector,  
(Chairman H.N.T.D.A),  
Collectorate-Hosur Salai,  
Krishnagiri-630 070.
- 2.The Assistant Director Panchayat,  
Collectorate, Hosur Salai,  
Krishnagiri-635 115.
- 3.The Director of Town & Country Planning,  
No.807, Anna Salai,  
Chennai-600 002.
- 4.The Deputy Director of Town  
and Country Planning,  
No.83, Pedamaneri Road,  
Appavu Nagar, Dharmapuri-636 070.
- 5.The Member Secretary,  
Hosur New Town Development Authority,  
No.35/A, 1st Floor, Nethaji Road, Hosur-635 109.
- 6.The Block Development Officer,  
Hosur Panchayat Union,  
Taluk Office Complex,  
Hosur-635 109.



WEB COPY



W.P.No.23955 of 2018

**G.K.ILANTHIRAIYAN. J.**

Lpp

W.P.No.23955 of 2018



WEB COPY



W.P.No.23955 of 2018

19.09.2024