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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.15151 of 2020
and W.M.P.Nos.18908 & 18909 of 2020

1.D.Stephen Vetharaja
2.Mrs.Sathya

.. Petitioners

Vs.

1.The Member Secretary,
Land Conversion Committee cum Chief Town Planner,
Town and Country Planning Department,
Puducherry.

2.The Member Secretary,
Puducherry Planning Authority,
Puducherry.

3.The Commissioner,
Villianur Commune Panchayat,
Puducherry.

4.The Deputy Director,
Directorate of Industries & Commerce
Industrial Guidance Bureau,
Puducherry.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the



impugned order passed by the 1st respondent vide proceedings file No.4939/TCP/Com (LUC)/J(P)/2019-20/2018 dated 15.11.2019 to quash the same and direct the 1st respondent to grant permission for conversion of land from Agricultural to non-Agricultural purpose for setting up a unit under the name and style of M/s.Sri Sai Baba Industries at RS. No.1/1PT, Thondamanatham Revenue Village, Villianur Commune Panchayat, Puducherry.

For Petitioner	.. Mr.Ravichandran Sundaresan
For Respondents	.. Mr.V.Vasantha Kumar Additional Government Pleader (Puducherry)

ORDER

This writ petition has been filed in the nature of certiorarified mandamus seeking records relating to an order passed by the 1st respondent, Member Secretary, Land Conversion Committee-cum-Chief Town Planner, Town and Country Planning Department at Puducherry in proceedings dated 15.11.2019 to quash the same and direct the 1st respondent to grant permission for conversion of land at RS.No.1/1PT, Thondamanatham Revenue Village, Villianur Commune Panchayat at Puducherry from Agricultural to non-Agricultural purpose for setting up a unit under the name and style of M/s.Sri Sai Baba Industries.



2. In the affidavit filed in support of the writ petition, it had been stated that the aforementioned land belongs to the wife of the petitioner. The petitioner has intention to set up a manufacturing unit under the name and style of M/s. Sri Sai Baba Industries for manufacture of Masterbatch/reprocessing of Plastic Granules. He had submitted an application seeking conversion of the land which is agricultural land and put it into non-agricultural purposes. By the impugned order, the said request had been rejected. The impugned order is dated 15.11.2019 and a perusal of the same shows that no reason has been given as to why the said conversion is not permitted. It has been only stated that the land is earmarked for agricultural use in Comprehensive Development Plan of Puducherry Region 2036.

3. The petitioner is permitted to make a fresh application through online for conversion of aforementioned agricultural land to non-agricultural land and to use it for the purpose to set up industries called Sri Sai Baba Industries. The respondents may examine such application and if required, invite the petitioner for personal hearing, examine the records and then pass appropriate orders. The said order should be passed within a period of eight weeks from the date on which an application is made by the petitioner herein.



4.The impugned order is set aside, since it is bereft of reasons. Accordingly, this writ petition stands allowed. No Costs. Consequently, connected miscellaneous petitions are closed.

18.11.2024

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr

To

- 1.The Member Secretary,
Land Conversion Committee cum Chief Town Planner,
Town and Country Planning Department,
Puducherry.
- 2.The Member Secretary,
Puducherry Planning Authority,
Puducherry.



3.The Commissioner,
Villianur Commune Panchayat,
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6

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