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W.P.No.32093 to 32096 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM:

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

W.P.Nos.32093 to 32096 of 2014

and

M.P.Nos.1, 1, 1 and 1 of 2014

G.Kanagaraj

..Petitioner in W.P.32093 of 2014

S.Mohankumar

..Petitioner in W.P.32094 of 2014

K.Gurusamy

..Petitioner in W.P.32095 of 2014

M.Malathi

..Petitioner in W.P.32096 of 2014

-Vs-

The Commissioner

Kangayam Municipality

Kangayam, Tiruppur District.

..Respondent in all the WPs

Prayer in W.P.No.32093 of 2014: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings Na.Ka.No.1356/2014/A1, dated 28.10.2014 and quash the same and consequently directing the respondent to approve the petitioner's building plan for construction of the petitioner's house situated in R.S No.38/1, Kangayam Village, Tiruppur District.

Prayer in W.P.No.32094 of 2014: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of



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Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings No. Nil dated 14.10.2014 and quash the same and consequently directing the respondent to approve the petitioner's building plan for construction of the petitioner's house situated in R.S No.37/2, Kangayam Village, Tiruppur District.

Prayer in W.P.No.32095 of 2014: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings No. Nil dated 14.10.2014 and quash the same and consequently directing the respondent to approve the petitioner's building plan for construction of the petitioner's house situated in R.S No.38/1, Kangayam Village, Tiruppur District.

Prayer in W.P.No.32096 of 2014: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings No. Nil dated 01.09.2014 and quash the same and consequently directing the respondent to approve the petitioner's building plan for construction of the petitioner's house situated in R.S No.38/1, Kangayam Village, Tiruppur District.

For Petitioner (in all WPs)	: Mr.C.Prakasam
For Respondent (in all WPs)	: Mr.S.T.S.Murthi Senior Counsel For Mr.R.Prem Chander



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COMMON ORDER

These Writ Petitions have been filed challenging the order passed by the respondent dated 28.10.2014, thereby rejected the building permission sought for by the petitioners.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioners owned their respective land and the same were purchased by the registered sale deeds. After purchase of their respective land, they intended to construct house and applied for building permission. However, it was rejected on the ground that the land purchased by the petitioners is not coming under the approved layout.

4. Admittedly, the land purchased by the petitioners was not coming under the approved layout. As the petitioners had purchased the land, they want to construct their houses.



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5. In view of the above, this Court finds no infirmity or illegality in the order passed by the respondent. Thus, these writ petitions are devoid of merits and are liable to be dismissed. Accordingly, these writ petitions stand dismissed. However, the petitioners are at liberty to apply afresh by complying all conditions. Consequently, connected miscellaneous petitions are closed. No costs.

29.08.2024

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

The Commissioner
Kangayam Municipality
Kangayam, Tiruppur District.



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G.K.ILANTHIRAIYAN. J,

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and
M.P.Nos.1,1,1 and 1 of 2014

29.08.2024