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W.P.No.19744 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19744 of 2024

N. Padmavathi

...Petitioner

Vs

1. The Joint Director,
Directorate of Town and Country planning
D.No.50, FCI Road,
Gandhima Nagar, Ganapathy,
Coimbatore – 641 001

2. The Block Development Officer,
P.N.Palayam, Coimbatore,
Pincode- 641 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider the petitioner's application in Registration No.DTCP/P/0097292/2017/23, DTCP/P/0109336/2017/23, DTCP/P/0109352/2017/23 and DTCP/0109359/2017/23 dated



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05.02.2024 filed online for regularizing plots bearing Nos.2,6,16 and 43 respectively situated at Kurundampalayam, Coimbatore North Taluk and District, in accordance with law and within a stipulated period and pass orders.

For Petitioner	: Mr. K. Govi Ganesan
For Respondent-1	: Mr.M. Venkateswaran Special Government Pleader
For Respondent-2	: Mr.K.Tippu Sulthan Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to consider the petitioner's application dated 05.02.2024 and pass orders.

2.Mr.M. Venkateswaran, Special Government Pleader takes notice for the first respondent. Mr.K.Tippu Sulthan, learned Government Advocate takes notice for the second respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.



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3. The facts of the case are that the petitioner is the owner of the Plots bearing Nos,2,6,16 and 43 in S.F.No.10/3B,10/3B,10/3A2 situated at Kurundampalayam Coimbatore, North Taluk, Coimbatore District and he is in possession and enjoyment of the same. The petitioner has divided the plots and named it as Ramakrishna Nagar and applied for regularisation of the plot bearing Nos.2,6,16 and 43 on 05.02.2024. However, the said application was not considered till dated. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's application dated 05.02.2024 and pass orders.

5. The learned Special Government Pleader appearing for the first respondent submitted that the petitioner applied for online registration only. He should submit the registration slip along with the copies of ownership documents and plan showing the plots as prescribed in the G.O.78, housing and Urban development Department dated 04.05.2017



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within 30 days from the date of registration to the competent authority and the same was not done by the petitioner. He further submitted that if the petitioner follows the said procedure and submits the application the same will be considered on merits and in accordance with law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, directs the petitioner to approach the first respondent and follow the instructions issued by them to apply for regularisation of the above plots. After receipt of the appropriate application from the petitioner, the first respondent is directed to consider the same and pass orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

19.07.2024

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



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To

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V.BHAVANI SUBBAROYAN,J.

smn

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