



WEB COPY



W.P.No.19849 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM:

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

W.P.No.19849 of 2024

N.Savithri

... Petitioner

Vs

- 1.The District Collector,
Coimbatore
- 2.The Thasildar,
Madukkarai Taluk,
Coimbatore District
- 3.The Village Administrative Officer,
Kuniyamuthur,
Coimbatore 641 008
- 4.The Surveyor,
Madukkarai Taluk,
Coimbatore 641 010
- 5.The Assistant Director,
Town and Country Planning Coimbatore,
22R2+77X, Peelamedu,
Gandhimaa Nagar,
Coimbatore 641 004
- 6.The Director,
Town and Country Planning Authority,
Coimbatore Zone,
DTCP, CMDA Office Complex,
E&C Market Road,
Srinivasa Nagar,
Virugambakkam,
Koyambedu,
Chennai 600 107

..... Respondents



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WEB COPY Prayer :

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the sixth respondent to dispose of the petitioner's representation dated 21.05.2024 within time framed manner.

For Petitioner : Mr.K.Sudhakar

For Respondents : Mr.C.Kathiravan,
Special Government Pleader

ORDER

This Writ Petition has been filed for direction to the sixth respondent to consider the representation submitted by the petitioner thereby made objections for granting DTCP approval for the property which is the subject matter of the suit in OS.No.813 of 2019 on the file of the I Additional District Court, Coimbatore.

2. The petitioner and her family members are enjoying the subject property on demise of one, Nallamma naicker, being the legal heirs of the said deceased person. The petitioner is being one of the legal heirs of Nallamma Naicker filed suit for partition as against the other



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surviving legal heirs in OS.No.813 of 2019 on the file of the I Additional District Judge, Coimbatore. Accordingly to the petitioner, she is entitled for 1/10 share in the subject property. The apprehension of the petitioner is that the third parties who are noway connected with the properties attempted to get DTCP approval for the subject property.

3. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

4. On perusal of the records, the petitioner simply filed suit for partition seeking 1/10 share in the subject property. However, the petitioner did not even state anywhere about the suit schedule. That apart, the apprehension of the petitioner is that a third party is now trying to get DTCP approval for the subject property, which is pre-mature and as such, the representation submitted by the petitioner cannot be considered and this writ petition is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. There shall be



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no order as to costs.

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Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.



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