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W.P.No. 19154 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.19154 of 2024

T.S. Ganesh Rao

.. Petitioner

Versus

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Govt. of Tamil Nadu, Secretariat,
Fort St. George, Chennai – 600 009.

2. The Director of Town and Country Planning,
CMDA office building,
2nd, 3rd and 4th Floor, C&E,
Market Road, Koyambedu, Chennai – 600 107.

3. The Assistant Director,
Krishnagiri District Town and Country Planning,
Hosur New Town Development Authority Office,
No.25/2, Nethaji Road,
Hosur – 635 109.

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the second respondent to dispose the appeal preferred by the petitioner on 23.08.2022 within the stipulated time and pass orders.



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For Petitioner : Mr.C. Veera Raghavan

For Respondents : Mr.A.M. Ayyadurai
Government Advocate

ORDER

This petition is filed to seeking a direction directing the second respondent directing the second respondent to dispose the appeal preferred by the petitioner on 23.08.2022.

2. Mr.A.M.Ayyadurai, Government Advocate takes notice for the respondents.

3.The facts of the case are that the petitioner who is the absolute owner of the property situated in S.F.No.1213/2, Chennathur Village, Hosur City Municipal Corporation, Hosur Taluk, Krishnagiri District to an extent of 1.27 acres had filed an application with the third respondent to form a layout of residential plots. The third respondent in turn rejected the application on the ground that the approach road is only 20 feet road and it does not fulfill the requirements under the rules 47(1)(a) of the Tamil Nadu Combined Development and Building Rules, 2019.



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Challenging the same the petitioner preferred an appeal before the second respondent on 23.08.2022. The grievance of the petitioner is that there is no progress in the said appeal. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the second respondent to consider the petitioner's representation dated 23.08.2022 and pass orders.

5. The learned Government Advocate appearing for the respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case, this Court directs the second respondent to dispose the appeal filed by the petitioner after conducting an enquiry by affording reasonable opportunity of hearing to the petitioner as well as the concerned parties and pass orders within a period of twelve weeks from the date of receipt of a copy of this Order.



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

16.07.2024

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn

To

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V.BHAVANI SUBBAROYAN, J.

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