



WEB COPY

W.P.No.21280 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.21280 of 2024
and WMP.No.23245/2024

1. K.Tamilselvi
2. M.Tharun

...

Petitioners

vs

The Member Secretary (Admin)
Coimbatore Local – Town Planning Authority
1st Floor, Corporation Shopping Complex
Raju Naidu Street, Sivananda Colony
Coimbatore – 641 012.

2.M/s.Rakindo Covai Township Ltd.,
Rep by its Manager
Sathaseeln,
No.1014/2 & 3, VLB Janaki Ammal,
Engineering College Road, Kovaipudur
Coimbatore – 641 042. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 06.06.2024 within a stipulated time.



For Petitioners : Mr.R.Hemalatha

For Respondents : Mr.M.Venkateswaran, Spl.GP for R1

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ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

This Writ Petition has been filed praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 06.06.2024 within a stipulated time.

2. Heard the learned counsel for the petitioners and the learned Special Government Pleader for the first respondent and perused the materials available on record.

3. The case of the petitioner is that the mother of the first petitioner purchased the land in SF.No.254/1 (now SF.No.254/1B1) at Perur Chettipalayam Village, Coimbatore under sale deed in Doc.No.2632/2013 dated 12.06.2013 to an extent of 1 acre. On 09.09.2016, the mother of the first petitioner executed a settlement deed in Doc.No.4740 of 2016. At the



time of issuing patta, joint patta was issued along with the 2nd respondent, after enquiry separate patta was issued in Patta No.1135 dated 27.05.2016.

The second respondent suppressing the fact included the land of the petitioners while obtaining layout approval. Thereafter, the petitioner made a representation dated 06.06.2024 to delete the land of the petitioner in approval plan No.68/2014, till date no action has been taken by the first respondent. Hence, the present petition.

4. The learned Special Government Pleader appearing for the first respondent produced a copy of the letter in Na.Ka.No.5839/2024/Ko.Ma dated 18.07.2024 communicated to the petitioners by the first respondent and the copy of the same is produced before this Court, wherein it is stated that on verification of the representation received from the petitioner the land in S.No.254/1B(254/1B1) is not in the lay out approval granted in favour of the 2nd respondent/Rakindo Covai Township Ltd. Further it is also stated that the land in S.No.254/1 mentioned in the layout approval proceedings of the 2nd respondent in proceeding No.Na.Ka.No.1883/2011-O-thi-ku-1 dated 12.03.2014 is located in Sundakaputhur Village.



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V.BHAVANI SUBBAROYAN, J.

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