



W.M.P.Nos.34974 & 34982 of 2024
in W.P.SR.Nos.17699 & 17702 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

W.M.P.Nos.34974 & 34982 of 2024

in

W.P.Nos.17699 & 17702 of 2024

G.B.Nanda Kumar

... Petitioner
in both petitions

Vs.

1.Nagalakshmi

2.The Commissioner,
Vaniyambadi Municipality,
Vaniyambadi Taluk,
Thirupathur District, Tamil Nadu.

3.The Director,
Town and Country Planning
Opposite to LIC, Chengalvarayan Building,
Fourth Floor, 807, Anna Salai,
Chennai – 600 002.



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4. The Secretary to Government,
Town and Country Planning,
Secretariat, Chennai – 600 009.

... Respondents
in W.M.P.No.34974 of 2024

1.K.Samraj

2. The Commissioner,
Vaniyambadi Municipality,
Vaniyambadi Taluk,
Thirupathur District, Tamil Nadu.

3. The Director,
Town and Country Planning
Opposite to LIC, Chengalvarayan Building,
Fourth Floor, 807, Anna Salai,
Chennai – 600 002.

4. The Secretary to Government,
Town and Country Planning,
Secretariat,
Chennai – 600 009.

... Respondents
in W.M.P.No.34982 of 2024

Common Prayer in W.M.P.Nos.34982 & 34982 of 2024 : Writ
Miscellaneous Petition filed under Article 226 of the Constitution of India to
implead the petitioner/proposed 4th respondent herein as a respondent in the
above writ petitions.



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Prayer in W.P.No.17699 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 27.05.2024 in communication letter No.0001/2024/F1 passed by the 1st respondent and quash the same and consequently to direct the 2nd respondent to grant planning permission to the petitioner's property situated in Ward No.F, Block No.23, Town S.No.1 part situated at Door No.24/165, Pudhur Narayanasamy Mesthiri Street, Vaniyambadi Town, Thirupathur District, which is situated in the petitioner's agricultural land.

Prayer in W.P.No.17702 of 2024 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 27.05.2024 in communication letter No.0002/2024/F1 passed by the 1st respondent and quash the same and consequently to direct the 2nd respondent to grant planning permission to the petitioner's property situated in Ward No.F, Block No.23, Town S.No.1 part situated at Door No.24/165, Pudhur Narayanasamy Mesthiri Street, Vaniyambadi Town, Thirupathur District, which is situated in the petitioner's agricultural land.



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For Petitioner : M/s.Vedhashri Narasa
in both petitions

For R1 : Mrs.R.T.Sundari
in both petitions

For R2 : Mr.P.Srinivas
in both petitions

For R3 and R4 : Mrs.S.Anitha
Special Government Pleader
in both petitions

COMMON ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

These Civil Miscellaneous Petitions are filed to implead the petitioner as 4th respondent in the above Writ Petitions.

2.These petitions are filed by a person who states that the writ petitioner has encroached into a portion of his property. It is admitted by the learned counsel for the writ petitioner that the rights of the impleading petitioner is upheld by a judgment of this Court in Second Appeal, however, a review has been filed as against the judgment in the Second Appeal.



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3.This Court, having regard to the fact that the petitioner in the impleading applications is held to be owner of the premises, finds that he also should be heard, even though a review application is pending. Therefore, these petitions are ordered. Registry is directed to carry out the necessary amendment in the cause titles.

(S.S.S.R., J.) (P.D.B., J.)
14.11.2024

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Internet : Yes



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S.S. SUNDAR, J.
and
P. DHANABAL, J.

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