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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.37367 of 2024

M/s.Vinir Engineering Private Limited
Having an address at
Sy No.245/1B, 253/2A,
Kalukondapalli Village, Denkanikottai Taluk,
Krishnagiri District,
Rep.by its Authorised Signatory,
Mr.Narasimha Kerur

... Petitioner

Vs.

Directorate of Town and Country Planning
Rep.by its Deputy Director
District Office, No.39/9
2nd Cross, Min Nagar, Near TNEB
Hosur 635 109.
Respondent

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider the various representations of the petitioner dated 13.05.2024, 22.05.2024, 24.05.2024, 03.07.2024 and 30.07.2024 with respect to the grant approval for the proposed additional construction on the petitioner's



factory premises located at Sy No.245/1B, 253/2A, Kalukondapalli Village, Denkanikottai Taluk, Krishnagiri District in accordance with the application of the petitioner on 27.04.2024 without raising the issue of land conversion and non-compliance with already available sanction plan within a reasonable time frame as fixed by this Court.

For Petitioner .. Mr.P.J.Rishikesh

For Respondents .. Mr.N.Naveen Kumar
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondent to consider the various representations of the petitioner dated 13.05.2024, 22.05.2024, 24.05.2024, 03.07.2024 and 30.07.2024 with respect to grant of approval for the proposed additional construction on the petitioner's factory premises located at Sy No.245/1B, 253/2A, Kalukondapalli Village, Denkanikottai Taluk, Krishnagiri District in accordance with the application of the petitioner dated 27.04.2024 without raising the issue of land conversion and non-compliance with already available sanction plan.



2. All these representations were given relating to seeking approval for proposed additional construction in the factory premises of the petitioner located at Survey No.245/1B, 253/2A, Kalukondapalli Village, Denkanikottai Taluk, Krishnagiri District. The petitioner had given an application on 27.04.2024. The petitioner claims that the issue of conversion of the land and non compliance with the available sanctioned plan should not be insisted upon by the respondent.

3. The Court can only issue a mandamus to consider the representation of the petitioner but cannot lay down the parametres under which such consideration should be made. The only aspect which the Court can lay down is a direction to the respondent to adhere to the principles of natural justice and if required to permit the petitioner to be heard in person.

4. The brief facts are that originally planning permission was granted in favour of Metal Karma Engineering Technologies Private Ltd., Thereafter, the petitioner - M/s.Vinir Engineering Private Limited had applied for additional construction and that application had been rejected. The petitioner had given several further representations seeking



reconsideration of the order of rejection. The writ petition has been filed seeking consideration of the representation. The matter came up earlier. The Court wanted an commitment about the outer date within which the representations would be considered. Instructions had been obtained and it is seen that as a matter of fact the building application has been received from the petitioner for additional construction.

5. I am not entering into any discussion on the reason why the respondent is of the opinion that such additional construction cannot be constructed but would direct the respondent to examine the representations already issued by the petitioner in an appropriate manner and in accordance with law. If required the petitioner may be given an opportunity of personal hearing. The entire exercise must be completed within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

16.12.2024



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Index: Yes/No
Internet: Yes/No
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C.V.KARTHIKEYAN, J.

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To

Directorate of Town and Country Planning
Rep.by its Deputy Director
District Office, No.39/9
2nd Cross, Min Nagar, Near TNEB
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