



W.P.(MD).No.382 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.382 of 2024

J.Chandran

... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Director,
Urban Infrastructure Development Scheme,
Collectorate,
Madurai.

3.The Executive Officer,
Palamedu Town Panchayat,
Alanganallur,
Vadipatti Taluk,
Madurai District.

4.The Tahsildar,
Vadipatti Taluk,
Madurai District.

5.The Block Development Officer,
Alanganallur Town Panchayat,
Vadipatti Taluk,
Madurai District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 2 to 5 to issue Building Plan Approval for the construction of new house in the petitioner's property comprised in Survey No.454/9B, Patta No.3920 to an extent of 0.03.17 Ares (9 Cent), situated at Palamedu Village, Vadipatti Taluk, Madurai District, by considering the petitioner's representation dated 08.12.2023 within the time frame that may be fixed by this Court.

For Petitioner	: Mr.S.Vikram
For R1, R2, R4 &R5	: Mrs.K.Christy Theboral Additional Government Pleader
For R3	: Mr.P.Subbaraj Special Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 2 to 5 to issue building plan approval for the construction of new house in the petitioner's property comprised in Survey No.454/9B, Patta No.3920 to an extent of 0.03.17 Ares (9 Cent), situated at Palamedu Village, Vadipatti Taluk, Madurai District, by considering the petitioner's representation dated 08.12.2023.



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2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he has purchased the land comprised in S.No.454/9B to an extent of 00.03.17 ares (9 cents) situated at Palamedu Village, Vadipatti Taluk, Madurai District. Thereafter, he has made an application before the sixth respondent for building plan approval. But the third respondent has orally rejected his application. Hence, he has sent a representation to the respondents on 08.12.2023, for issuance of building plan approval for construction of new house in the said property. Since the said representation has not been considered, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader appearing for the respondents 1, 2, 4 and 5 would submit that the property situated at S.No. 454/3C to an extent of 0.94.0 hec. (9 cents) has been purchased by the petitioner on 27.06.2021, by registered document and he seeks for building plan approval, which cannot be granted as this is classified as agricultural punja land. The petitioner has to get appropriate permission



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for regularising the plot as a residential plot, then only appropriate action can be taken on the petitioner's application and the building plan approval can be granted.

5. In view of the above, the prayer sought for by the petitioner cannot be granted at this juncture and it is left open to the petitioner to approach the authorities with necessary documents for reclassification of land from agricultural land to the residential land, in order to get approval from the third respondent.

6. With the above direction, this Writ Petition is disposed of. No costs.

09.01.2024

akv

To

1.The District Collector,
Madurai District, Madurai.

2.The Director,
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- 3.The Executive Officer,
Palamedu Town Panchayat,
Alanganallur,
Vadipatti Taluk,
Madurai District.
- 4.The Tahsildar,
Vadipatti Taluk,
Madurai District.
- 5.The Block Development Officer,
Alanganallur Town Panchayat,
Vadipatti Taluk,
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V.BHAVANI SUBBAROYAN,J.

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