



W.P(MD)No.6607 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6607 of 2024

D.S.Senthivel

... Petitioner

Vs.

- 1.The Director,
Tamil Nadu Country and Town Planning,
Floor Nos.2, 3 & 4 of CMDA Building,
Koyembedu, Chennai – 600 107.
- 2.The Assistant Director /
Member Secretary,
Office of Madurai Town Planning,
Madurai District,
Sector 6, Aanaiyur-Mudakkathan Main Road,
Koodal Pudur,
Madurai – 625 017.
- 3.The District Collector,
Office of the District Collectorate,
Madurai District,
Madurai – 625 020.
- 4.The Commissioner of Madurai Corporation,
Madurai Corporation Building “Anna Maligai”,
Alagar Kovil Road, Madurai – 625 002.



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5.The Commissioner of Madurai District Town Planning,
Having Office at
Madurai Corporation Building,
Anna Maligai,
Alagar Kovil Road,
Madurai – 625 002.

6.S.Velmurugan

7.Sonaimani

8.Sundareswari

9.Om Sidharthan
***(R.6 to R.9 are impleaded vide order
of this Court dated 26.03.2024 in
W.M.P(MD)No.6993 of 2024)***

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.02.2024 by annulling the planning permission granted in respect of the property in Survey No.355/2 converted as T.S.No.33/21, 22, 23, 24 and 25, comprising a total extent of 88 cents in Madakulam Village, Thirupparankundram Taluk, Madurai Town, Madurai District, within a time that may be fixed by this Court.

For Petitioner : Mr.V.Ramakrishnan

For Respondents : Mr.M.Lingadurai
Additional Government Pleader
for R.1 to R.3



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Mr.K.K.Kannan
Standing Counsel for R.4 & R.5

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the official respondents and the learned Standing Counsel appearing for the Madurai Corporation.

2.The grievance of the petitioner is that regularisation order was erroneously passed in favour of one Sonaimani by the Madurai Corporation. The case of the petitioner is that the property is the subject matter of a pending partition suit. The petitioner has therefore given a representation to the Commissioner, Madurai Corporation for recalling the said order.

3.The learned Additional Government Pleader appearing for the Town Planning Department states that till date Sonaimani has not



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obtained any planning permission from them. This submission is placed on record.

4.The fourth respondent is directed to conduct enquiry into the petitioner's representation and pass an appropriate order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The fourth respondent shall put on notice all the interested persons particularly, Thiru.Sonaimani before passing final order. I make it clear that I have not gone into the merits of the matter.

5.This writ petition is disposed of accordingly. There shall be no order as to costs.

26.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 02.04.2024.



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G.R.SWAMINATHAN, J.

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