



W.P.(MD)No.24642 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.10.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24642 of 2024

and

W.M.P.(MD)Nos.20971 and 20991 of 2024

P.Ramkumar

... Petitioner

Vs.

- 1.The District Collector/Chairman,
Town and Country Planning Authority,
Ramanathapuram,
Ramanathapuram District.
- 2.The Assistant Director/Member Secretary,
Town and Country Planning Authority,
Town and Country Planning Department,
No.177/7, Kanikarai,
Bank of Baroda 2nd Floor,
Ramanathapuram District.
- 3.The Executive Office,
Kamuthi Town Panchayat,
Kamuthi, Ramanathapuram District.
- 4.The Sub Registrar,
Registration Department,
Kamuthi, Ramanathapuram District.
- 5.Vazhavanthan Nadar
- 6.Srinivasan

... Respondents



W.P.(MD)No.24642 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, by calling for records on the file of the second respondent vide proceedings No.ROC.No.4DXP2E1A/Ramanathapuram/2024/TCP dated 19.06.2024 and quash the same as illegal as devoid of merits .

For Petitioner	: Mr.Raja Karthikeyan
For R1 & R2	: Mr.D.Sadiq Raja Additional Government Pleader
For R3	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R4	: Mr.C.Satheesh Government Advocate
For R5	: Mr.T.Aswin Rajasimman

ORDER

Challenge has been made to the approval granted by the respondent to the private respondents.

2.Mr.D.Sadiq Raja, learned Additional Government Pleader, takes notice for the respondents 1 and 2, Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, takes notice for the third respondent, Mr.C.Satheesh, learned Government Advocate, takes notice for the fourth respondent and Mr.T.Aswin Rajasimman, learned counsel takes notice for the fifth respondent.



W.P.(MD)No.24642 of 2024

Considering the nature of the order proposed to be passed in this writ petition, notice to the sixth respondent is dispensed with.

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

4.The case of the petitioner is that the subject property is originally owned by the grandfather of the petitioner. However, during UDR proceedings, the name has been changed. Based on the same, the fifth respondent attempted to alienate the property. Hence, the petitioner filed an application before the first respondent and the said proceedings is pending before the District Revenue Officer. In the meanwhile, now the layout approval has been granted to the fifth respondent despite the objection made by the petitioner.

5.Earlier, the petitioner filed W.P.(MD)No.14920 of 2024, wherein this Court by an order dated 01.10.2024 had already directed the parties to act on the basis of the orders to be passed by the District Revenue Officer, as the dispute between the parties is with regard to the title of the property. As already orders have been passed, there is no necessity to pass any fresh order in this writ petition. Further, as a matter of right, orders cannot be challenged, when the



W.P.(MD)No.24642 of 2024

statutory authority has passed the order after considering the ground reality.

The order to be passed by the District Revenue Officer will be binding on the parties. If still the petitioner is not satisfied with that order, he can very well establish his title before the competent civil court in the manner known to law.

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

Consequently, connected miscellaneous petition is closed.

19.10.2024

Index:yes/no
Internet:yes/no
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To

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W.P.(MD)No.24642 of 2024

N.SATHISH KUMAR, J.

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W.P.(MD)No.24642 of 2024

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