



WEB COPY

W.P.(MD) No.20487 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.20487 2024

Krishnasamy

...Petitioner

-VS-

1.The District Collector,
Thoothukudi District.

2.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

3.The Block Development Officer,
Kayathar Union, Thoothukudi District.

4.The Panchayat President,
K.Chidambarapuram Village,
Kayathar Taluk,
Thoothukudi District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the third respondent to correct the Survey number as 309/59, instead of 309/2 mentioned in the building plan approval given by the third respondent.

For Petitioner	: Mr.P.Venkatesan
For R1 & R2	: Mr.D.Sadiq Raja Additional Government Pleader
For R3 & R4	: Mr.D.Gandhiraja Special Government Pleader



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ORDER

This writ petition has been filed to direct the third respondent to correct the Survey number as 309/59, instead of 309/2 mentioned in the building plan approval given by the third respondent.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2 and the learned Special Government Pleader for the respondents 3 and 4. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The property in survey No.309/59 belongs to the petitioner. The petitioner applied for planning approval to construct a house in the said property. The fourth respondent had approved the same by order dated 19.12.2017. However, in the said approval, the survey number was mistakenly mentioned as 309/2 instead of 309/59. Hence, the petitioner made a representation before the second respondent to rectify the said mistake. The second respondent also forwarded the same to the third respondent. Since the same was not considered, the petitioner has filed this writ petition.



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4.The learned Special Government Pleader for the respondents 3 and 4, on instructions, submitted that no documents whatsoever has been produced by the petitioner to prove the title of the property and if the petitioner produces the relevant documents in this regard, the representation of the petitioner will be considered and necessary orders will be passed.

5.Considering the above said submission, this writ petition is disposed of directing the petitioner to produce all the relevant documents as required by the third respondent and on receipt of the same, the third respondent shall consider and pass orders on its own merits and in accordance with law within a period of one month from the date of receipt of a copy of this order. No costs.

29.08.2024

NCC : Yes / No

Index : Yes / No

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