



W.P.(MD)No.28986 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.28986 of 2024

and

W.M.P.(MD)No.24546 of 2024

R.Malarvizhi

... Petitioner

Vs.

1. The Director,
Directorate of Town and Country Planning,
DTCP, CMDA Office Campus,
F and C Market Road,
Seenivasa Nagar, Virugampakkam,
Chennai.
2. The District Collector.
Trichirapalli District,
Trichirapalli.
3. The Commissioner,
Trichirappalli Municipality Corporation,
Trichirappalli.
4. The Joint Director,
District Town and Country Planning Office,
Kajamalai Road,
Kajamalai, Trichy - 23.
5. The Revenue Divisional Officer,
Revenue Divisional Office,
Collectorate,
Trichirappalli.



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6. The Thasildar,
Trichy West Taluk,
Trichy.

7. S.Subramanian

8. S.Swaminathan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, direct the respondents 1 to 3 to cancel the plan approval given to the respondents 7 and 8 in respect of the property in Trichy West Taluk, Ko-Abishekapuram Division, Puthur Village, Old Ward-B, New Ward - G, Block No.21, New T.S.No.80, Old TS.No.4061/2 having area of 0.0938.02 sq.Mtr based on representation of the petitioner dated 29.10.2024.

For Petitioner : Mr.G.Kandhavadivelan

For Respondents : Mr.S.Kameswaran (R1, R2, R4 to R6)

Government Advocate

M/s.R.B.Law Associates (R3)

ORDER

This writ petition is filed seeking for a direction to the respondents to cancel the plan approval given to the respondents 7 and 8 in respect of the property in Old Ward-B, New Ward - G, Block No.21, New T.S.No.80, Old TS.No.4061/2 having area of 0.0938.02 sq.Mtr at Puthur Village, Ko-Abishekapuram Division, Trichy West Taluk, on the basis of the petitioner's representation dated 29.10.2024.



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

3. Heard the learned counsel on either side and carefully perused the entire materials available on record.

4. When the matter is taken up for hearing, the learned Government Advocate appearing for the respondents on instructions submitted that without challenging the plan approval dated 30.07.2024, a mandamus will not lie and on that basis, he prayed for dismissal of this writ petition.

5. Giving liberty to the petitioner to challenge the said approval dated 30.07.2024, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

04.12.2024

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

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TO:-

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Directorate of Town and Country Planning,
DTCP, CMDA Office Campus,
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Seenivasa Nagar, Virugampakkam, Chennai.
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Kajamalai Road,
Kajamalai, Trichy - 23.
4. The Revenue Divisional Officer,
Revenue Divisional Office,
Collectorate,
Trichirappalli.
5. The Thasildar,
Trichy West Taluk, Trichy.

Order made in
W.P.(MD)No.28986 of 2024

Dated
04.12.2024