



WEB COPY



W.P.No.3751 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.3751 of 2025
and WMP.No.4154 of 2025

D.K.P.Ramesh @ K.Ramesh

... Petitioner

VS.

1. The State of Tamil Nadu,
Rep.by its Secretary,
Housing and Urban Development Department,
Secretariat, Chennai 600 009.
2. The District Collector,
Collectorate Office Road,
Moovendar Nagar, Villupuram 605 602.
3. The Director,
Directorate of Town and Country Planning,
3rd , C & E Market Road,
Koyambedu, Chennai 600 107.
4. The Assistant Director,
District Town and Country Planning Department,
No.56/A, TAHDCO Office Complex,
Government Hospital Road,
Villupuram 605 602.
5. The Tamil Nadu Real Estate Regulatory Authority,
No.1A, 1st Floor, Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.



W.P.No.3751 of 2025

6. The President,
Siruvalai Village,
Vikravandi Post and Taluk,
Villupuram District.
7. H.Kavitha
- 8.N.Nithish Kumar
- 9.H.Akash
10. The Assistant Director,
Geology and Mining Department,
District Collectorate,
Villupuram 605 602.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 3rd and 4th respondents to revoke the Planning Permission accorded to the private respondents 7 to 9 for the layout under the name and style “ Sri Vetrivellapar Nagar” comprised in S.Nos.93/4 (Pt), 93/5(Pt), 106/(Pt), 106/20 (Pt), 21(Pt), 22(Pt), 23 (Pt) totalling Hc 1.21.00 situated at Siruvalai Village, Vikravandi Taluk, Villupuram District, based upon his objections dated 16.11.2014 and in exercise of powers for revocation under Section 54 of the Town and Country Planning Act, 1971, within time frame to be stipulated by this Court.



WEB COPY



W.P.No.3751 of 2025

For Petitioner : Mr.P.Dinesh Kumar
For R1 to R4, R6 & R10 : Mr.N.Naveen Kumar
Govt.Advocate.

ORDER

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The present writ petition has been filed to issue a writ of mandamus directing the 3rd and 4th respondents to revoke the Planning Permission accorded to the private respondents 7 to 9 for the layout under the name and style “ Sri Vetrivellapar Nagar” comprised in S.Nos.93/4 (Pt), 93/5(Pt), 106/(Pt), 106/20 (Pt), 21(Pt), 22(Pt), 23 (Pt) totalling Hc 1.21.00 situated at Siruvalai Village, Vikravandi Taluk, Villupuram District, based upon his objections dated 16.11.2014 and in exercise of powers for revocation under Section 54 of the Town and Country Planning Act, 1971.



W.P.No.3751 of 2025

3. It is the case of the petitioner that he is engaged in the business of “Black Granite” and he has been granted license for the quarrying and carrying away “Black Granite” which is a mineral, from the land situated at Siruvalai Villate, Vikranvndi Taluk, Villupuram District for the period commencing from 12.09.2011 to 11.09.2031. Following the same, Lease Agreement for “Black Granite” from patta lands was executed by the second respondent and the said Lease Deed was registered as Doc.No.1695 of 2011 on the file of Sub-Registrar Office, Anniyur. The respondents 7 to 9 had developed the land into residential lay out based on the Planning Permission/DTCP approval granted by the 4th respondent. The said residential lay out is situated within the prohibited distance of 500 meters from the area for which mining lease was granted to the petitioner. Thereafter, the petitioner has made objections dated 16.11.2024 to the second and fourth respondents to revoke the Planning Permission under Section 54 of the Tamil Nadu Town and Country Planning Act, 1971. The said objections were not considered by the fourth respondent till date. Hence, the petitioner has filed the present writ petition.



W.P.No.3751 of 2025

4. The learned counsel appearing for the petitioner submitted that the petitioner has given an objection dated 16.11.2024 to the official respondents in regard to planning permission which was already granted by the fourth respondent to the respondents 7 to 9.

5. The learned Government Advocate appearing for the respondents 1 to 4, 6 and 10 submitted that based on the objections of the petitioner dated 16.11.2024, the third respondent has instructed the Panchayat President and Assistant Director of Geology and Mining Department, Villupuram not to grant final approval to the respondents 7 to 9.

6. Heard the learned counsel appearing on either side and also perused the materials available on records.

7. In view of the submissions made by the learned Government Advocate appearing for the respondents R1 to R6 and R10, the fourth respondent is directed to consider the objections of the petitioner dated 16.11.2024 in the light of the order passed by this Court made in W.P.No.23248 of 2019 and etc batch dated 09.11.2020 (***K.Rajkumar vs.***



W.P.No.3751 of 2025

Principal Secretary and Others, 2020 SCC Online Mad 27852, on

merits, in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

8. This writ petition stands disposed of with the above direction.

No costs. Consequently, connected miscellaneous petition is closed.

06.02.2025

Index : Yes/No.

Internet : Yes/No.

Neutral Citation : Yes/No

Speaking : Non-speaking Order

kkd

To

1. The Secretary,
Housing and Urban Development Department,
Secretariat, Chennai 600 009.
2. The District Collector,
Collectorate Office Road,
Moovendar Nagar, Villupuram 605 602.
3. The Director,
Directorate of Town and Country Planning,
3rd , C & E Market Road,
Koyambedu, Chennai 600 107.



W.P.No.3751 of 2025

4. The Assistant Director,
District Town and Country Planning Department,
No.56/A, TAHDCO Office Complex,
Government Hospital Road,
Villupuram 605 602.
5. The Tamil Nadu Real Estate Regulatory Authority,
No.1A, 1st Floor, Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.
6. The President,
Siruvalai Village,
Vikravandi Post and Taluk,
Villupuram District.
7. The Assistant Director,
Geology and Mining Department,
District Collectorate,
Villupuram 605 602.



WEB COPY



W.P.No.3751 of 2025

J.SATHYA NARAYANA PRASAD,J.

kkd

W.P.No.3751 of 2025

06.02.2025