



W.P.No.21437 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

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CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.21437 of 2015

A.Mohandass

... Petitioner

Vs.

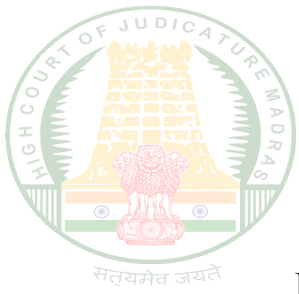
1.The District Collector/Chairman,
Local Planning Authority,
Vellore District,
Vellore.

2.The Member Secretary,
Vellore Local Planning Authority,
Vellore.

3.The Director of Town & Country Planning,
No.807, Anna Saalai,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 & 2 to consider the application dated 05.03.2013 submitted by the petitioner for the approval of Plan for Commercial Complex in Survey No.625/1A, 1C, 1D, 1F, 2A & 2B in Dharapadavedu Village, Vellore Corporation Zone – I, Katpadi Taluk, Vellore District.



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For Petitioner : Mr.E.Kannadasan

For Respondents 1 & 2 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondent 3 : Mr.A.Kumar

ORDER

The petitioner has filed this petition seeking to direct the respondents 1 & 2 to consider the application dated 05.03.2013 submitted by the petitioner for the approval of Plan for Commercial Complex in Survey No.625/1A, 1C, 1D, 1F, 2A & 2B in Dharapadavedu Village, Vellore Corporation Zone – I, Katpadi Taluk, Vellore District.

2. The case of the petitioner is that the petitioner's mother purchased the agricultural land measuring 42 cents situated at Dharapadavedu Village in S.No.651/2 Katpadi Taluk, Vellore District on 27.09.1981 and patta was also issued in his mother's name. During the year 1981, the petitioner's mother has sold two separate portion of the land measuring 1500 sq.ft & 2400 sq.ft. to one Mr.Ganesan and Mr.Kuppan respectively. Thereafter, the remaining land measuring to an extent of 14252 sq.ft in S.No.651/1A, 1C, 1F, 2A & 2B



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was transferred in the name of the petitioner. This being the case, the petitioner has made an application for approval of building plan for constructing a commercial complex on 05.03.2013. However, the second respondent vide letter dated 17.09.2013 returned the petitioner's application on the ground that there was no approach road for two residential building in S.No.625/1B & 1E, which was sold by his mother to Mr.Ganesan and Mr.Kuppan. In compliance of the same, the petitioner has submitted a revised plan showing the well laid pathway as a passage to the breadth of 20 ft for the use of two residents situated in S.No.625/1B & 1E. But, the same was also accepted by the second respondent. Hence, he sent a representation dated 02.07.2014 and 28.11.2014 to the respondents 1 & 3 to take action and grant approval of his building plan. However, till date no order was passed. Hence, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the second respondent to consider the petitioner's application dated 05.03.2013 within a time frame to be fixed by this Court.



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4. Learned Additional Government Pleader appearing for the respondents 1 & 2 would submit that this Court may direct the petitioner to give a fresh representation to the second respondent within a time frame to be fixed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. In view of the submission made by the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents 1 & 2, this Court issues the following directions:

(i) The petitioner is directed to give a fresh representation to the second respondent, within a period of two weeks from the date of receipt of a copy of this order;

(ii) On receipt of such representation, the second respondent is directed



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to consider the same, after giving due notice to the petitioner, affording an opportunity of personal hearing on merits, in accordance with law and pass appropriate orders, within a period of six weeks thereof.

7. This writ petition is disposed of with the above observation and directions. No costs.

07.03.2025

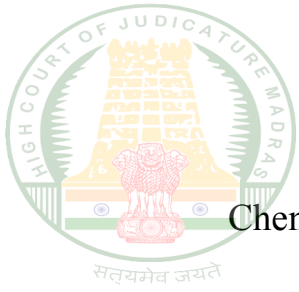
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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

- 1.The District Collector/Chairman,
Local Planning Authority,
Vellore District,
Vellore.
- 2.The Member Secretary,
Vellore Local Planning Authority,
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- 3.The Director of Town & Country Planning,
No.807, Anna Saalai,

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