



W.P.No.6943 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.6943 of 2025
and W.M.P.No.7661 of 2025

- 1.R.Dhandapani
- 2.R.Sachidhanandan
- 3.D.Uvaraj

...Petitioner

-Vs-

1. The Director
Directorate of Town and Country Planning,
DTCP, CMDA Office Complex,
E & C, Market Rd, Srinivasa Nagar,
Virugambakkam, Koyambedu,
Chennai- 600 107.
2. The Joint Director / Assitant Director,
District Town and Country Planning,
2nd Floor, Ex-Service man Welfare Officer
Building Campus, Vellore,
Vellore District.
3. The Commissioner,
Vellore Municipal Corporation,
Vellore District.



W.P.No.6943 of 2025

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...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus to direct the 3rd respondent to grant of final approval for the Petitioner's residential layout comprised in Town Survey No. 667, measuring an extent of 1.74 cents, situated in Ward No. 5, Block No. 15, Vellore Taluk, within the Registration District of Vellore which has been approved by the 2nd Respondent through proceedings ROC.No. VLR/RUHSQWN1/043-/2022/TCP DATED 24.05.2023 as L.P/D.T.C.P(VLPA) No.19/2023 and P.P.No.19/2023 within the time fixed by this Court.

For Petitioner : Mr.M.Rebecca

For Respondents : M/s.P.Aishwarya,
Government Advocate for R1 &R2
Mr.S.Prabhu
Standing Counsel for R3

ORDER

This writ petition has been filed seeking to direct the 3rd respondent to grant of final approval for the Petitioner's residential layout comprised in Town Survey No. 667, measuring an extent of 1.74 cents,

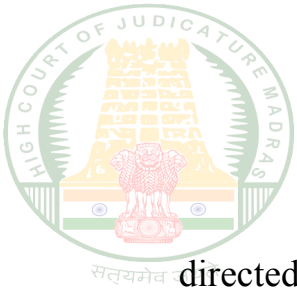


W.P.No.6943 of 2025

WEB COPY

situated in Ward No. 5, Block No. 15, Vellore Taluk, within the Registration District of Vellore which has been approved by the 2nd Respondent through proceedings ROC.No. VLR/RUHSQWN1/043-/2022/TCP dated 24.05.2023 as L.P/D.T.C.P(VLPA) No.19/2023 and P.P.No.19 of 2023 within the time fixed by this Court.

2.Learned counsel appearing for the petitioner submitted that the petitioner decided to develop the land in residential plots and have applied for layout approval. He further submitted an online application on 30.11.2022 and approached the Second Respondent for DTCP approval. The road pattern for the proposed layout was issued by the Second Respondent on 05.03.2023. Further he submitted that they executed a gift deed in favour of the Vellore Corporation on 12.05.2023 which was registered as Document No.5183/2023 pertaining to the road, road splay and park areas. The Layout has been approved by the 2nd Respondent vide proceedings ROC.No.VLR/RUHSQWN1/043-/2022/TCP DATED 24.05.2023 and granted Planning permission in L.P/ D.T.C.P(VLPA) No.19/2023 and P.P.No.19/2023 and also

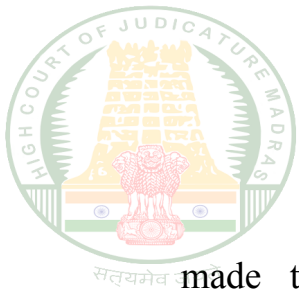


W.P.No.6943 of 2025

WEB COPY

directed the 3rd respondent to issue final approval to the Petitioners upon compliance with the prescribed conditions.

3.The learned counsel further submitted that the Petitioners received a communication from the third Respondent on 22.06.2023 in Na.ka.No.2166/2023/F-1 to carry out the developments at the Petitioner's own cost or by remitting the estimated amount, prepared by the Corporation's Engineering Department. The Petitioners carried out the development of the basic facilities at their own expenses and the same was communicated to the third Respondent. He further submitted that at the request of the Assistant Commissioner, Vellore Municipal Corporation on 13.12.2023 to the Principal, Government Engineering College, Thorapadi, Vellore, field inspection was conducted and detailed report was submitted by Thanthai Periyar Engineering College on 04.01.2024 to the 3rd Respondent. It is further submitted that the 3rd Respondent demanded a payment of Rs.3,70,000/- for the installation of electric poles in the layout as a condition for granting final approval. In compliance with this demand, the Petitioners

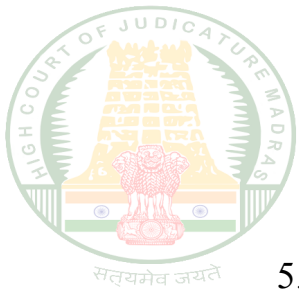


W.P.No.6943 of 2025

WEB COPY

made the payment of Rs.3,70,000/- vide Receipt No. 035/401/2/23-24/0008140, dated 27.02.2024. Despite the completion of all necessary infrastructures, including the laying of tar roads, installation of storm water drains, provision of water supply, and installation of street lights, the 3rd Respondent has unjustifiably failed to issue an order granting final approval for the layout. The 1st Petitioner sent a representation to the 3rd Respondent on 31.01.2025 requesting the grant of final approval for the layout, which was received on 03.02.2025. However, no action has been taken since then. Hence the petitioner has come forward with the present writ petition.

4.Learned Standing Counsel appearing for the 3rd respondent/ Corporation submitted that the application of the petitioner for grant of final approval will be considered by the 3rd respondent in the next council meeting which should be held in a near future. He further submitted that once the resolution is passed and based on the resolution the third respondent will issue the appropriate proceedings granting final approval to the petitioner if the same is in accordance with law.



W.P.No.6943 of 2025

WEB COPY

5. The learned Standing Counsel further submitted that he needs eight weeks time to pass appropriate orders on the applications filed by the petitioner for grant of final approval. Since the council meeting date is not yet finalised by the 3rd respondent/Corporation.

6. Heard both sides and perused the materials available on record.

7. The 3rd respondent is directed to grant final approval to the petitioner if the same is in order and accordance with law, if the resolution is passed by the council within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

8. Accordingly, the writ petition stands disposed of with the above directions and observations. No costs. Consequently, connected miscellaneous petition is closed.

12.03.2025

vsn

Index : Yes / No

Speaking / Non-Speaking Order



W.P.No.6943 of 2025

WEB COPY
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