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W.P.No.16855 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM :
THE HONOURABLE MRS.JUSTICE N.MALA

Writ Petition No.16855 of 2025
and W.M.P.No.19206 of 2025

1.R.Sumathi

2.B.Sarala

... Petitioners

Vs.

1.The Joint Director,
Directorate of Town and Country
Planning Department,
6 VJR +3Xg, NH Service Road,
Thuaimanglam, Perambur 621 220.

2.S.Ashokan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus to direct the 1st respondent to consider and dispose of the petitioner's representation dated 18.12.2023 to cancel the DTCP approval (No.55/2018) granted to the 2nd respondent.

For Petitioner	:	Mr.E.Tharun Roshan
For Respondents	:	Mrs.P.Vijayadevi for R1
		Government Advocate



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ORDER

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Seeking directions to the 1st respondent to cancel the DTCP approval (No.55/2018) granted to the 2nd respondent by considering the petitioners' representation dated 18.12.2023, the present writ petition is filed.

2.Mrs.P.Vijayadevi, learned Government Advocate takes notice for the respondent.

3. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The 1st and 2nd petitioners are the owners of the property comprised in S.No.42/1A14 (0.03.0 Hectares) 71/5 and 42/1A26 (0.98.5 hectare) in Veppanthattai Taluk, having purchased the same under a registered sale deed dated 01.03.2016 and are enjoying the said property without any let or hindrance from any third party. While so, one Saravanan and Manikandan through their power agents executed pathway easement agreement in favour of the 2nd respondent, to provide access from the main road to the "Golden

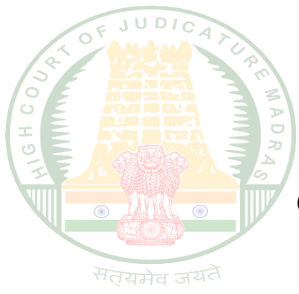


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City" and "Ashok Real Estate development project. Therefore, the

petitioner's sent a representation to the Tahsildar, to measure their lands and issue separate patta. Since no action was taken by the authorities, the 2nd petitioner filed a writ petition in W.P.No.30265 of 2024 and this Court vide order dated 15.10.2024, directed the respondents to consider the petitioner's representation.

5. Upon such direction, survey was conducted and the petitioner's came to know that the 2nd respondent, falsely showed the petitioner's private property as a public road in their real estate layout plan and obtained DTCP approval (DTCP No.55/2018). Therefore, the petitioners approached the concerned authorities to take necessary action and to cancel the illegally obtained DTCP approval. However, no action was taken by the authorities. Hence, they submitted a representation on 18.12.2023' to the 1st respondent, however, no action was taken till date. Aggrieved by the inaction of respondents, the petitioners filed the above writ petition.



6. Though many grounds have been raised in the writ petition, learned

counsel for the petitioner's submitted that it would suffice if, this Court directs the first respondent, to consider the petitioners' representation dated 18.12.2023, for cancellation of the DTCP approval (No.55/2018) granted to the 2nd respondent and pass orders within a stipulated time.

7. In view of the above facts and considering the limited relief sought for by the learned counsel for the petitioners, without going into the merits of the case, I am inclined to direct the first respondent, to consider the petitioners' representation dated 18.12.2023, for cancellation of the DTCP approval (No.55/2018) granted to the 2nd respondent, by affording reasonable opportunity to the petitioners as well as to the 2nd respondent and pass appropriate orders on merits and in accordance with law, within a period of eight(8) weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.



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

To:
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N.MALA,J.

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