



W.A(MD) No.445 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27.06.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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and

C.M.P.(MD)No.3467 of 2025

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Housing and Urban Development Department,
Fort St.George, Chennai.
- 2.The Director of Town and Country Planning,
Directorate of Town and Country Planning,
No.807, Anna Salai, Chennai.
- 3.The Assistant Director / Member Secretary,
District Town and Country Planning Office,
Madurai. ... Appellants / Respondents

Vs.

P.Jayakumar ... Respondent / Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed in W.P.(MD)No.31052 of 2024, dated 23.01.2025.



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For Appellants : Mr.N.Satheesh Kumar
Additional Government Pleader

For Respondent : Mr.Sricharan Rangarajan
Senior Counsel
for Mr.M.Mahaboob Athiff

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard the learned Additional Government Pleader for the appellants and the learned senior counsel for the respondent.

2. The respondent herein submitted an application for layout approval on 25.10.2024. The application was returned by raising certain queries. The applicant resubmitted the application after contending that the queries have been answered. The grievance of the applicant is that the application submitted by him is being repeatedly returned raising the very same set of queries. In these circumstances, W.P.(MD)No.31052 of 2024 came to be filed. The learned single Judge vide order dated 23.01.2025 disposed of the writ petition in the following terms:-



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“17. When necessary requirements have been complied with by the Writ Petitioner, the third respondent without even looking into the compliance made by the Writ Petitioner on 03.12.2024 and 11.12.2024 had once again issued the communication pointing out certain defects and violations, which are originally found in the communication on 29.10.2024 and 04.12.2024. The third respondent ought to have considered the application submitted by the Writ Petitioner, but had not even looked into the compliances made by the Writ Petitioner, dated 03.12.2024 and 11.12.2024.

18. As the third respondent had withheld the grant of approval, despite queries having been complied with and the queries made by the third respondent are one and the same on three occasions, this Court has no hesitation to hold that it is a clear case that the third respondent had not looked into the compliance made by the Writ Petitioner and without looking into the compliance, the third respondent had repeatedly raised the same queries which are verbatim of the first communication, dated 29.10.2024 for the reasons best known to the third respondent.

19. In view of the same, the third respondent is directed to pass appropriate orders on merits and in accordance with law based on the compliances made by the Writ Petitioner on 03.12.2024, 11.12.2024, within a period of two weeks from the date of receipt of a copy of this order.”

3. We fail to understand as to how the department can feel aggrieved by such an order. The learned Judge has not gone into the question on merits at all. All that the learned single Judge had indicated



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is that the matter should be finally disposed of within two weeks. The said time limit is extended by five more weeks from today.

4. The writ appeal is dismissed with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
27.06.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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NOTE: Issue Order Copy on 24.07.2025.



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