



W.A.(MD)No.599 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.04.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.A.(MD)No.599 of 2025

A.Shiny

...Appellant

-Vs-

1.The Deputy Director,
Directorate of Town and Country Planning Department,
Sivagangai District, Sivagangai-630 502.

2.The District Collector,
Sivagangai District, Sivagangai.

3.The Block Development Officer,
Sivagangai.

...Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent Act, to set aside the order of this Court made in W.P.(MD)No.22573 of 2024 dated 02.01.2025.

For Appellant	: Mr.Selva Adithya for Mr.G.Prabhu Rajadurai
For Respondents	: Mr.S.S.Madhavan Additional Government Pleader



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JUDGMENT

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(Judgment of the Court was made by **S.SRIMATHY, J.**)

This intra-Court Appeal is filed against the order of this Court dated 02.01.2025 in W.P.(MD)No.22573 of 2024.

2.The writ petitioner is the appellant herein. Challenging the order of rejection of the application seeking layout approval for the subject property, the writ petitioner filed the writ petition. The writ petition was disposed of with liberty to the writ petitioner to approach the first respondent again after fulfilling the conditions for approval of layout.

3.Now the writ petitioner filed the present writ appeal contending that in the order dated 02.01.2025, the learned Single Judge has observed that there is a approach road in the water body and hence, the rejection of the writ petitioner's application has not infirmity. The learned counsel for the appellant submits that the petitioner has constructed a over bridge in the approach road through the water channel and the water channel is not at all disturbed. Hence, to that extent alone, the appellant seeks modification of the order passed by the learned Single Judge.



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WEB COPY 4. In light of the above submission, the authorities concerned are directed to consider the application of the petitioner without being carried away by the findings of the learned Single Judge that there is a approach road in the water body. The application of the petitioner is directed to be considered within a period of twelve weeks from the date of receipt of a copy of this order. The order of the learned Single Judge is modified only to the extent stated above.

5. With the above modification, this writ appeal is disposed of. It is also made clear that if the road near the bridge needs expansion, the petitioner is at liberty to consent for the same. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
07.04.2025

Index : Yes/No

Internet : Yes/No

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