

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 20.03.2025

Pronounced on : 27.03.2025

CORAM

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HON'BLE MR.JUSTICE B.PUGALENDHI**

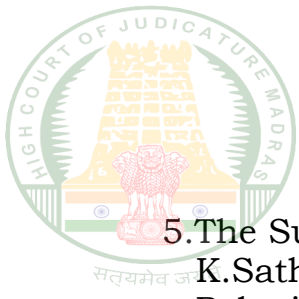
**WP(MD)No.5731 of 2019
and
WMP(MD)Nos.4523 of 2019 & 5671 of 2025**

Elephant G.Rajendran

... Petitioner

Vs.

- 1.The Commissioner,
Directorate of Town and Country
Planning,
Opp.to LIC, Chengalvaraya Building,
4th Floor, No.807, Anna Salai,
Chennai – 600 002.
- 2.The Assistant Director / Member Secretary,
Directorate of Town and Country Planning,
Kajamalai Main Road,
Kajamalai, Trichy – 620 023.
- 3.The District Collector,
Trichy District, Trichy – 620 001.
- 4.The Tahsildar,
Thiruverumbur Taluk,
Thiruveumbur,
Trichy – 620 013.



5.The Sub Registrar,
K.Sathanur,
Palani Nagar, K.K.Nagar,
Tiruchirappalli – 620 021.

6.The Block Development Officer,
Thiruverumbur Panchayat Union,
Thiruverumbur, Tiruchirappalli – 620 013.

7.R.Thirumurugan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari to call for the records relating to the proceedings issued by the second respondent in Na.Ka.No.212/2018 TM2 dated 07.12.2018 and quash the same.

For Petitioner : Mr.Elephant G.Rajendran

For Respondents : Mr.R.Baskaran,
Additional Advocate General
assisted by SRA.Ramachandran
for R1 to R5

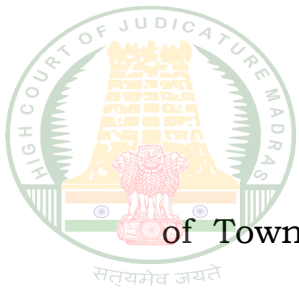
Mr.A.Thiyagarajan for R6

Mr.B.Prasanna Vinoth for R7

ORDER

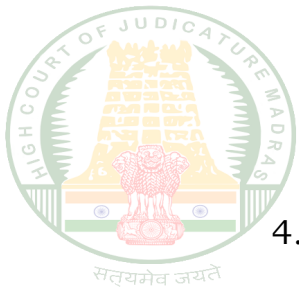
Heard both sides.

2.The petitioner herein challenges a letter dated 07.12.2018 sent to him by the Assistant Director/Member Secretary, Directorate



of Town Country and Planning, Tiruchirappalli informing him that technical action for granting technical approval for the lay out proposed to be formed by the seventh respondent has to be taken.

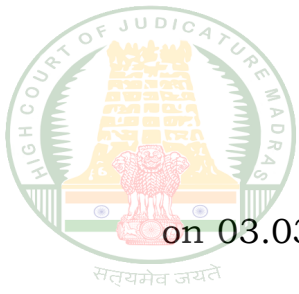
3.We fail to understand as to how such a communication is amenable to challenge. In any event, the lay out approval was subsequently granted on 21.02.2019. The petitioner is a resident of Chennai. He is also a practicing lawyer. This writ petition does not appear to have been filed in public interest. It is seen that there is a running dispute between MIET Educational Institutions, Trichy and the lay out promoter. The said educational institution has been lodging objection after objection against the granting of approval for the lay out. They have also filed as many as five writ petitions against the private respondent herein. We are of the view that the writ petitioner herein is batting for the said MIET Educational Institution. Admittedly, the rights of the petitioner have not in any way been infringed. The petitioner has no locus standi to even maintain this writ petition. The petitioner does not appear to be one filed in public interest also. An affidavit filed in support of a public interest litigation has to be in a certain format. The requisite averments to be found in such an affidavit are absent in this case.



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4.The Hon'ble Supreme Court in ***D.N.Jeevaraj vs. Chief Secretary, Government of Karnataka and D.V.Sadananda Gowda vs. K.G.Nagalaxmi Bai & ors (Civil Appeal Nos.13785 & 13786 of 2015 dated 27.11.2015)*** even while holding that in issues pertaining to good governance, the courts ought to be somewhat more liberal in entertaining public interest litigation, also observed that in matters that may not be of moment or a litigation essentially directed against one organization or individual ought not to be entertained or should be rarely entertained. The other remedies are also available to public spirited litigants and they should be encouraged to avail of such remedies.

5.The case on hand would attract the aforesaid ratio laid down by the Hon'ble Supreme Court. The rights of the petitioner have not been affected. It is also seen that questioning the lay out approval, MIET Educational Institutions have independently filed as many as five writ petitions. Hence, at the instance of the petitioner herein, there is no need to interfere with the impugned communication. As already noted, after the issuance of the impugned communication, formal approval was granted on 21.02.2019. Though this writ petition was filed way back in 2019, an amendment application was filed only



on 03.03.2025 in WMP(MD)No.5671 of 2025 to amend the writ prayer questioning the planning permission given to the private respondent herein. This planning permission has already been put to challenge by the MIET Educational Institution in WP(MD)No.13252 of 2019. Therefore, there is no need to permit the petitioner to amend the writ prayer when the case has been taken up for final hearing.

6.For all the reasons set out above, this writ petition is dismissed. No costs. Connected miscellaneous petitions are closed.

[G.R.S., J.] & [B.P., J.]

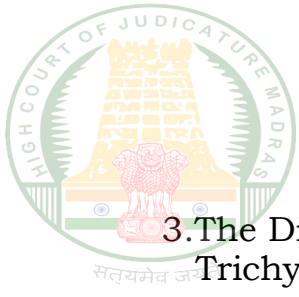
27.03.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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