



W.P.(MD)No.12254 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12254 of 2025

S.Arunachalam

: Petitioner

Vs.

1. The Director,
Town and Country Planning Department,
Chennai.

2. The Assistant Director,
District Town and Country Planning Office,
Thoothukudi District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 herein to dispose of the petitioners layout regularization application DTCP/L/0063854/2017/23 dated 11/12/2023 in accordance with law within a stipulated time as prescribed by this Hon'ble Court.

For Petitioners : Mr. S.Saravanan

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader



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ORDER

This Writ Petition has been filed seeking a direction to the second respondent to dispose of the petitioner's layout regularization application DTCP/L/0063854/2017/23, dated 11.12.2023, within the time frame.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner asserts that he submitted an application dated 11.12.2023 for regularization of unapproved plots and layout, vide Application No. DTCP/L/0063854/2017/23. Although the queries raised by the second respondent were subsequently clarified, the petitioner's application has been kept pending. In this regard, the petitioner submitted a detailed representation to the respondents, requesting regularization of the unapproved plots and layout. As no action was taken, the petitioner has now approached this Court by filing the present Writ Petition.



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4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the second respondent to consider the representation of the petitioner dated 30.12.2024 and pass appropriate orders, within a time frame that may be stipulated by this court.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 30.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the



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petitioner, as well as all other persons, who may be interested in the subject matter, within a period of six weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

28.04.2025

Index : Yes / No
Internet : Yes / No
PKN



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To

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VIVEK KUMAR SINGH, J.

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