



W.P(MD)No.24360 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

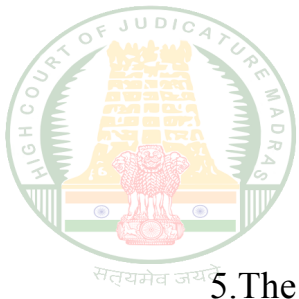
W.P(MD)No.24360 of 2025
and
W.M.P(MD)No.19120 of 2025

K.Thulasi Ayyappan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by the Housing and Urban
Development Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Director,
Local Planning Authority,
Annasalai, Chennai.
- 3.The Deputy Director,
Town and Country Planning Authority,
Nagercoil, Kanyakumari District.
- 4.The Chairperson,
High Level Monitoring Committee,
Kanyakumari District.



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5. The Assistant Director of Panchayat,
District High Level Monitoring Committee,
Kanyakumari District.

6. The President,
Melasankarankuzhi Panchayat,
Rajakkamangalam Union,
Kanyakumari District.

7. The Block Development Officer,
Village Panchayat,
Rajakkamangalam Panchayat Union,
Pazhavilai,
Kanyakumari District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records related to the impugned proceedings of the 7th respondent/Block Development Officer (Village Panchayats) Rajakkamangalam Panchayat Union at Pazhavillai, Kanyakumari District dated 03.04.2025 and 11.04.2025 in Na.Ka.No.Aa1/79/2023 and quash the same and consequently issue further directions to the respondents to consider the retention application filed by the petitioner in reference to the additional constructions made by the petitioner in Survey No.146/1, Vembanoor West Village, Agasteeswaram Taluk, Kanyakumari District.



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For Petitioner : Mr.N.Dilip Kumar
for Mr.H.Elango

For RR 1 to 5 : Mr.J.Ashok
Additional Government Pleader

For RR 6 & 7 : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

The petitioner has challenged the proceedings of R7/Block Development Officer dated 03.04.2025 and 11.04.2025.

2.When the matter came up for admission yesterday (09.09.2025), the following order was passed:

'Mr.J.Ashok, learned Additional Government Pleader accepts notice on behalf of R1 to R5. Mr.D.Sadiq Raja, learned Additional Government Pleader accepts notice for R6 and R7.

2. The challenge is to a communication dated 11.04.2025, which according to the petitioner, is premature and contrary to the provisions of principles of natural justice, and also bereft of any materials, such as the statute in terms under which it was issued.



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3. *Mr.Sadiq, would however, draw attention to Form 3 dated 17.04.2025, issued under the Tamil Nadu Town and Country Planning Rules, 2022 to which, according to him, there has been no response.*

4. *Since Mr.N.Dilipkumar, learned counsel for the petitioner is unaware of the notice dated 17.04.2025, let a copy of the same be supplied to him along with acknowledgement, in order to enable him to take instructions.*

5. *List on 10.09.2025.'*

3.Today, Mr.N.Dilip Kumar, learned counsel appearing for petitioner, on instructions, would submit that notice dated 17.04.2025 had, in fact, been received by the petitioner. The writ affidavit does not disclose the receipt of notice dated 17.04.2025 and this is hence, serious omission.

4.In fact, as the respondents rightly point out, the notice was sent by RPAD and acknowledgement of receipt has been placed before us by way of a compilation today.



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5.However, de hors that, we prefer to close this Writ Petition.

The impugned communications dated 03.04.2025 and 11.04.2025 are of little relevance now, since notice has been issued in Form III on 17.04.2025, to which the petitioner will have to respond.

6.In view of the above, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
10.09.2025

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



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