



W.P(MD)No.24500 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.24500 of 2025

and

W.M.P(MD)No.19227 of 2025

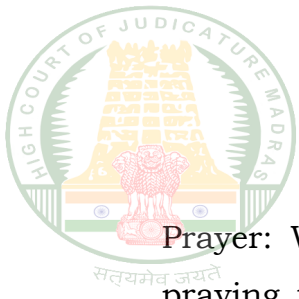
Prakash

..Petitioner

Vs

- 1 The Director
Town and Country Planning, Chennai-600 002.
- 2 The Principal Secretary to Government,
Housing and Urban Development
Department, Chennai-620009.
- 3 The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Chennai-600009.
- 4 The Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Chennai-600009.
- 5 The District Collector,
Dindigul District, Dindigul.
- 6 The Block Development Officer
Nilakottai Panchayat Union, Pallapatti
Panchayat, Dindigul District.
- 7 The President,
Pallapatti Panchayat, Dindigul District.

..Respondent



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st to 4th Respondents to consider the petitioner's representation dated 21.03.2025 with regards to grant planning approval to the 2nd and 3rd floor of the building of the petitioner and dispose same within the period that may be stipulated by this Court.

For Petitioner : Mr.V.G.Vallarasu Chezhiyan

For Respondents : Mrs.D.Farjana Ghoushia
Spl. Govt. Pleader (for R1 to R5)

Mr.F.Deepak
Spl. Govt. Pleader (for R6)

ORDER

The writ petition has been filed seeking a direction to the respondents 1 to 4 to consider the petitioner's representation dated 21.03.2025 with regards to grant of planning approval to the 2nd and 3rd floor of the building of the petitioner and dispose same within the stipulated time.

2. Heard Mr.V.G.Vallarasu Chezhiyan, learned counsel for the petitioner, and Mrs.D.Farjana Ghoushia, learned Special Government Pleader for the respondents 1 to 5 and Mr.F.Deepak, learned Special Government Pleader, for the 6th respondent. Since no adverse order is going to be passed as against the 7th respondent, notice to him is dispensed with. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.



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3. According to the petitioner, he decided to construct a building consisting of ground plus three floors, wherein the ground and first floors are intended for commercial use, and the second and third floors for residential purposes. He applied for building plan approval before the 7th respondent in October 2021, and pursuant thereto, planning permission was granted. Based on such permission, he constructed the building, which was subsequently inspected by the 7th respondent, who also levied property tax in respect of the said building. Subsequently, after a lapse of three years, the 6th respondent directed the petitioner to obtain approval from the Town and Country Planning Department, on the ground that the 7th respondent was not the competent authority to grant permission for the second and third floors in view of G.O.Ms.No.154, Housing and Urban Development (UD4(3) Department), dated 13.10.2020. In consequence, the 6th respondent passed an order dated 07.02.2025 directing the petitioner to obtain approval from the competent authority within seven days. The petitioner challenged the said order in W.P.(MD) No.4434 of 2025, but the writ petition came to be dismissed by this Court. Thereafter, the petitioner submitted a detailed representation to the respondents 1 to 4 on 21.03.2025 seeking planning approval for the second and third floors of his building. Since the said representation has not been considered, the petitioner has approached this Court by way of the present writ petition.



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4. The learned Special Government Pleaders, who takes notice for the respondents 1 to 6, submit that the representation submitted by the petitioner will be considered in accordance with law.

5. In view of the above, without expressing any opinion on the merits of the matter, the respondents are directed to consider the petitioner's representation dated 21.03.2025 and pass final orders on its own merits, within a period of two months from the date of receipt of a copy of this order, after issuing notice to the petitioner.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10.09.2025

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

To

- 1 The Director
Town and Country Planning, Chennai-600 002.
- 2 The Principal Secretary to Government,
Housing and Urban Development
Department, Chennai-620009.



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- 3 The Additional Chief Secretary to Government,
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- 4 The Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Chennai-600009.
- 5 The District Collector,
Dindigul District, Dindigul.
- 6 The Block Development Officer
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P.T.ASHA, J.

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