

In the High Court of Judicature at Madras

Dated: 05.03.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice M.M. SUNDRESH

Writ Petition No. 17089 of 2013

Dr. S. Kanagasundaram

... Petitioner

vs.

1. The Secretary to Government
Department of Housing & Urban
Development
Fort St. George, Chennai 600 009.
 2. The Secretary to Government
Department of Rural Development
and Panchayat Raj
Fort St. George, Chennai 600 009.
 3. The Director of Town and Country Planning
807, Anna Salai, Chennai 600 002.
 4. The Deputy Director/Member Secretary
Local Planning Authority
Coimbatore.
 5. The Commissioner
Corporation of Coimbatore
Coimbatore.
- सत्यमेव जयते .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration to declare that Sections 10 to 32 and Sections 47 to 63 of the Tamil Town and Country Planning Act, 1971 are void, repugnant, unenforceable, ultra vires of the constitution of India and inoperative.

For Petitioner : Mr. P. Saravana Sowmiyan

For Respondents : Mr. S.T.S. Murthi
Govt. Pleader for R1 to R3
Mrs. A. Sri Jayanthi
Spl. Govt. Pleader for R4
Mr. R. Sivakumar for R5

O R D E R

(Made by The Hon'ble The Chief Justice)

We have heard the learned counsel for the parties. Learned counsel for the petitioner at this stage states that it may be appropriate to treat his petition as a representation to the Government for taking necessary action to give effect in letter and spirit to the 73rd Amendment to the Constitution for the purposes of real and effective delegation of powers on the Panchayats, Municipalities and Local Bodies.

2. We direct accordingly, giving the respondents three months' time to examine the representation of the petitioner and to communicate the reasoned decision to him.

3. The petition accordingly stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ATR

Copies to;

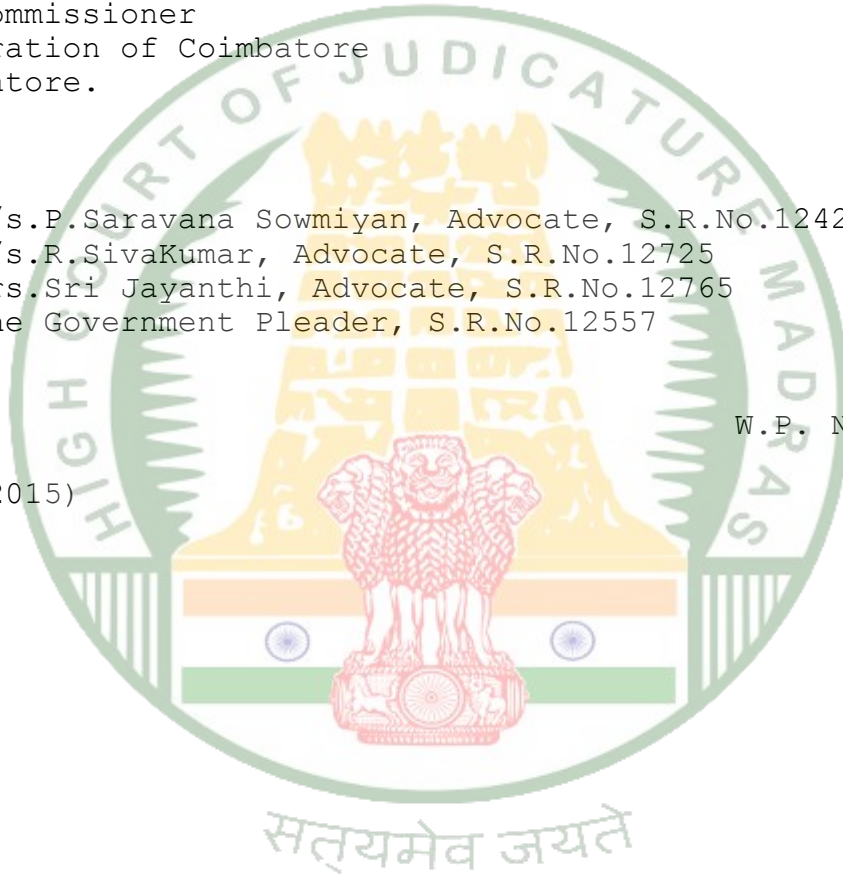
1. The Secretary to Government
Department of Housing & Urban
Development
Fort St. George, Chennai 600 009.

2. The Secretary to Government
Department of Rural Development
and Panchayat Raj
Fort St. George, Chennai 600 009.
3. The Director of Town and Country Planning
807, Anna Salai, Chennai 600 002.
4. The Deputy Director/Member Secretary
Local Planning Authority
Coimbatore.
5. The Commissioner
Corporation of Coimbatore
Coimbatore.

+1cc to M/s.P.Saravana Sowmiyan, Advocate, S.R.No.12423
+1cc to M/s.R.SivaKumar, Advocate, S.R.No.12725
+1cc to Mrs.Sri Jayanthi, Advocate, S.R.No.12765
+1cc to the Government Pleader, S.R.No.12557

RSK(CO)
CA(13/03/2015)

W.P. No. 17089 of 2013



WEB COPY