

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN
W.P.No.30117 of 2016

N.Murugesan ... Petitioner

-vs-

1.The District Collector,
Salem District, Salem.

2.The Deputy Director of Town Planning,
Salem Zone,
Salem District.

3.The Commissioner,
Edapaddi Municipality,
Edapaddi,
Salem District.

4.P.A.Rajendran

5.Sudha Rajendran .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the 3rd respondent to take appropriate action against the respondents 4 and 5 as per Section 339 and 340 of Tamil Nadu District Municipalities Act, 1920 by way of implementing the 3rd respondent's order / notice in No.6/2016/A2 dated 29.02.2016 and order dated 06.4.2016.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.T.N.Rajagopalan
Spl. G.P. for R1 & R2

Mr.N.Manoharan for R4 & R5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks a writ of mandamus against the third respondent for appropriate action against respondent Nos.4 and 5 as per Sections 339 and 340 of the Tamil Nadu District Municipalities Act, 1920 by the enforcement order passed by respondent No.3 dated 29.02.2016 and 06.04.2016.

2. The learned counsel for respondent Nos.4 and 5 submits that on the planning authority having rejected the plan submitted by the said respondents subsequently, the matter is now pending before the learned Single Judge in W.P.No.38931 of 2016.

3. We are, thus, of the view that in so far as the present matter is concerned, nothing really survives as the respondent authorities counsel assures that they will take necessary action, but subject to the orders to be passed in the aforesaid writ petition filed by respondent Nos.4 and 5.

4. The writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Salem District, Salem.

2.The Deputy Director of Town Planning,
Salem Zone,
Salem District.

3.The Commissioner,
Edapaddi Municipality,
Edapaddi,
Salem District.

+lcc to Mr.R. Maruthachalamurthy, Advocate, S.R.No.64850

+lcc to Mr.N. Manokaran, Advocate, S.R.No.64595

+lcc to the Government Pleader, S.R.No.64610

sm (CO)

md (21/11/2016)

W.P.No.30117 of 2016