

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 03.03.2017  
CORAM  
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE  
AND  
THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.5425 of 2017  
and W.M.P.No.5746 of 2017

S.Malathi Selvam

.. Petitioner

Vs.

- 1 The State of Tamilnadu  
rep. by its Secretary to the Government  
Urban and Housing Development Department  
Secretariat, Chennai-600 009.
- 2 The Member Secretary  
Chennai Metropolitan Development Authority  
Gandhi Erwin Road,  
Egmore, Chennai-600 008. ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 1<sup>st</sup> respondent to dispose of the representations dated 8.4.2015 30.5.2015 and 9.1.2017 for regularisation under section 113-A of Tamilnadu Town and Country Planning act so far it relates to Flat No.E Basement New No.16 Old No.183 Mount Road Little Mount Saidapet Chennai 600 015 belongs to petitioner.

For Petitioner : Mr.G.Ethirajulu

For Respondents : Mr.T.N.Rajagopalan  
Spl. Government Pleader  
for 1<sup>st</sup> respondent

Mr.K.Rajasrinivas  
for 2<sup>nd</sup> respondent

WEB COPY

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.T.N.Rajagopalan, learned Special Government Pleader takes notice for the first respondent. Mr.K.Rajasrinivas, learned counsel takes notice for the second respondent.

2. Heard the learned counsel for the parties.

3. The petitioner has filed this writ petition seeking issuance of a writ of Mandamus directing the 1<sup>st</sup> respondent to dispose of the representations dated 8.4.2015, 30.5.2015 and 9.1.2017 for regularization under section 113-A of Tamilnadu Town and Country Planning Act so far it relates to Flat No.E, Basement, New No.16, Old No.183, Mount Road, Little Mount, Saidapet, Chennai - 600 015 belonging to petitioner.

4. It appears that the petitioner has made an application seeking regularization under section 113-A of the said Act but the same has not been considered till date.

5. The learned counsel for the respondents pointed out that the petitioner has submitted the application seeking regularization after the cut off date prescribed under the said provision.

6. This Court, by order dated 20.2.2017 passed in W.P.No.16004 of 2015, etc. batch cases, directed the respondent/authorities to notify the rules and guidelines for effective implementation of Section 113-C of the Tamil Nadu Town and Country Planning Act, 1971 within two months.

7. In such view of the matter, we direct that the regularization application filed by the petitioner may also be considered subject to the rules and guidelines that are to be notified for effective implementation of Section 113-C of the Tamil Nadu Town and Country Planning Act, 1971. Till the disposal of the regularization application, the respondents shall not take any coercive action against the petitioner.

WEB COPY

The writ petition is disposed of accordingly. No costs.  
Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1 The Secretary to the Government  
Urban and Housing Development Department  
Secretariat, Chennai-600 009.
- 2 The Member Secretary  
Chennai Metropolitan Development Authority  
Gandhi Erwin Road,  
Egmore, Chennai-600 008.

+1cc to Mr.K. Rajashrinivas, Advocate, S.R.No.13898  
+1cc to Mr.G. Ethirajulu, Advocate, S.R.No.14441  
+1cc to the Government Pleader, S.R.No.14245

rj (CO)  
md(13/03/2017)

W.P.No.5425 of 2017

सत्यमेव जयते

WEB COPY