



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

and

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P(MD)Nos.9064 and 9065 of 2017

and

WMP(MD)Nos.6923 and 6924 of 2017

W.P(MD)No.9064 of 2017

Amanulla

.... Petitioner

vs.

1)The Government of Tamil Nadu,
Rep. by its Principal Secretary to the Government,
Department of Municipal Administration and Water Supply,
Fort St.George,
Chennai.

2)The Kodaikanal Local Planning Authority,
Kodaikanal,
Dindigul District.

.... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents from taking any coercive action against the petitioner's property namely 'Green Acres Resorts' in T.S.No.6 Ward No.B, Block No.29, Kodaikanal, pending disposal of the exemption application submitted by the petitioner dated 15.11.016 under section 113-C of Tamil Nadu Town and Country Planning Act 1971, in light of the judgment of this Hon'ble Court in Natarajan Vs Secretary to Government, W.P.No.26229 of 2016 dated 27.7.2016.

For Petitioner
For Respondents

: Mr.Ajmal Khan, Senior Counsel
: Mr.M.Alagadevan
Special Government Pleader

W.P(MD)No.9065 of 2017

Shajahan

.... Petitioner

vs.

1)The Director of Town and Country Planning,
807, Annasalai,
Chennai 600 002.

2)The Kodaikanal Local Planning Authority,
<https://hcservices.ecourts.gov.in/hcservices/>
Kodaikanal,
Dindigul District.

.... Respondents



Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents from taking any coercive action against the petitioner's Hotel namely 'Hotel Grand Palace' in Convent Road, Kodaikanal, pending disposal of the revision application submitted by the petitioner under Section 80 of Tamil Nadu Town and Country Planning Act 1971, in light of the judgment of this Hon'ble Court in Natarajan Vs Secretary to Government W.P.No.26229 of 2016 dated 27.07.2016.

For Petitioner : Mr.Ajmal Khan, Senior Counsel
For Respondents : Mr.M.Alagadevan
Special Government Pleader

COMMON ORDER

(Order of the Court was made by M.V.MURALIDARAN, J.)

Mr.M.Alagadevan, learned Special Government Pleader takes notice for the respondents. By consent of both parties, these Writ Petitions are taken up for final disposal.

2.Even though the prayer in these writ petitions are to restrain the respondents from taking coercive action against the petitioners' Hotels pending disposal of the applications of the petitioners under Sections 113-C and 80 of Tamil Nadu Town and Country Planning Act 1971, when the writ petitions were taken up for hearing, learned counsel for the petitioners submitted that it is suffice, if a direction is issued to the authorities concerned to consider the applications of the petitioners under Sections 113-C and 80 of the Tamil Nadu Town and Country Planning Act 1971, and pass orders within a time frame to be fixed by this Court.

3.In view of the limited relief sought for, the authorities concerned are directed to pass orders on the applications of the petitioners filed under Sections 113-C and 80 of the Tamil Nadu Town and Country Planning Act 1971, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. Till such time, the *status quo* as on today shall be maintained.

With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Vacation Officer/
Assistant Registrar

/True Copy/



To

1) The Principal Secretary to the Government,
Government of Tamil Nadu,
Department of Municipal Administration and Water Supply,
Fort St. George,
Chennai.

2) The Director of Town and Country Planning,
807, Annasalai,
Chennai 600 002.

3) The Kodaikanal Local Planning Authority,
Kodaikanal,
Dindigul District.

+2ccs to M/s. Ajmal Associates, Advocate, SR.Nos.56545 and 56546

+One cc to The Special Government Pleader, SR.No.56921

nbi

RL/7C/3P/SKN/SAR1/29.5.2017

W.P (MD) Nos.9064 and 9065 of 2017

17.05.2017