



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.05.2017

CORAM:

**THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
AND
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

W.P. (MD) No.9501 of 2017
and W.M.P. (MD) Nos.7247 and 7248 of 2017

S.Kamaladhoss

... Petitioner

Vs.

1. The Director of Town and Country Planning,
807, Anna Salai, Chennai - 2.
2. The Assistant Director / Member Secretary,
Thoothukudi Local Planning Authority,
51, West Car Street, Thoothukudi - 1.
3. The Commissioner,
Thoothukudi Corporation,
Thoothukudi.

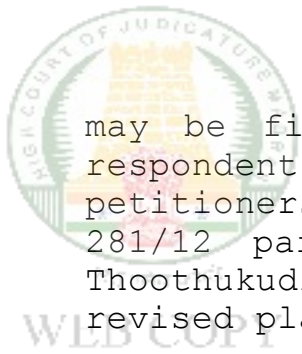
... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider and to pass order on the application for regularization under Section 56 (3) read with Section 49 of the Town and Country Planning Act, 1971 with the revised plan submitted by the petitioner on 05.02.2014 with stipulated time as may be fixed by this Court and consequently directing the 2nd respondent to remove the lock and seal from the 2nd floor of the petitioners building built in T.S.No.252/1 to 252/6, 248 to 251, 281/12 part and in Door Nos.56, 57, 58 and 58A, WGC Road, Thoothukudi, pending disposal of the petitioners application for revised plan before the 2nd respondent.

For Petitioner : Mr.T.A.Ebenezer
For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the 2nd respondent to consider and to pass order on the application for regularization under Section 56 (3) read with Section 49 of the Town and Country Planning Act, 1971 with the revised plan submitted by the petitioner on 05.02.2014 with stipulated time as



may be fixed by this Court and consequently directing the 2nd respondent to remove the lock and seal from the 2nd floor of the petitioners building built in T.S.No.252/1 to 252/6, 248 to 251, 281/12 part and in Door Nos.56, 57, 58 and 58A, WGC Road, Thoothukudi, pending disposal of the petitioners application for revised plan before the 2nd respondent.

2.The learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent, the writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that it would suffice if the revised plan of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

4.In view of the limited scope of the prayer, without going into the merits of the matter, the second respondent is directed to consider the revised plan dated 05.02.2014 after giving opportunity of personal hearing to the petitioner as well as the fourth respondent on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. Till such time, status quo is to be maintained.

5.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected W.M.P.(MD) Nos.7247 and 7248 of 2017 are closed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1.The Director of Town and Country Planning,
807, Anna Salai, Chennai -2.

2.The Assistant Director/Member Secretary,
Thoothukudi Local Planning Authority,
51, West Car Street, Thoothukudi - 1.

3.The Commissioner,
Thoothukudi Corporation, Thoothukudi.

+ 1 CC TO Mr.R.M.ANNAMALAI, ADVOCATE IN SR No. 57186

CM/MR/KM

TE/MR/SAR-IV : 31/05/2017 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P.(MD)No.9501 of 2017 &
W.M.P.(MD)Nos.7247 and 7248 of 2017
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