



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P. (MD) No.11783 of 2018
and
W.M.P. (MD) No.10697 of 2018

Bina Kothari

...Petitioner

-Vs-

1.The Director,
Directorate of Town and Country Planning,
Opposite to LIC, Chengalvarayan Building,
4th Floor, 807, Anna Salai,
Chennai-02.

2.The Member Secretary,
Tiruchirapalli Local Planning Authority,
No.10, Williams Road,
2nd Floor, Cantonment,
Tiruchirapalli-01.

...Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to pass orders on the revised plan application submitted by the petitioner and the retention application of the petitioner dated 19.05.2018 within the time stipulated by this Court and consequently forbear the respondents from taking any coercive action, pending such disposal in light of the order made by this Court in Amanulla -Vs- The Government of Tamil Nadu, W.P. (MD) No.9064 and 9065 of 2017 dated 17.05.2017.

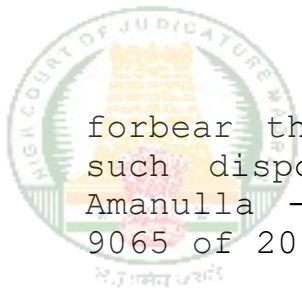
For Petitioner : Mr.M.Ajmal Khan
Senior Counsel for M/s.Ajmal Associates

For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader.

ORDER

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

The petitioner seeks for a Writ of Mandamus, to direct the respondent to pass orders on the revised plan application/retention application, submitted by the petitioner dated 19.05.2018, within a stipulated time and to consequently



forbear the respondents from taking any coercive action pending such disposal, in light of the order made by this Court in Amanulla -Vs- The Government of Tamil Nadu, W.P.(MD)No.9064 and 9065 of 2017 dated 17.05.2017.

WEB COPY

2.Mr.VR.Shanmuganathan, learned Special Government Pleader takes notice on behalf of the respondents. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that he has filed a revised plan application/retention application on 19.05.2018 to the second respondent and the same is pending. It is the further case of the petitioner that the Hon'ble Division Bench of this Court in W.P.(MD)Nos.9064 and 9065 of 2017, by an order dated 17.05.2017, has considered a similar issue and passed orders and now, the petitioner has filed this present writ petition, seeking a direction to the second respondent, to consider the revised plan application/retention application and pass orders on that, as per the orders passed by the Hon'ble Division Bench of this Court.

4. The learned Special Government Pleader also agreed to that and seeks time to dispose of the said revised plan application/retention application filed by the petitioner.

5. In view of the above submission, this Writ Petition is disposed of, directing the second respondent, to consider and pass orders the revised plan application/retention application dated 19.05.2018 filed by the petitioner by giving personal opportunity of hearing to the petitioner, in the light of the order passed in W.P(MD)Nos.9064 and 9065 of 2017, within a period of three months from the date of receipt of a copy of this order. Till such time, the respondents are directed not to take any coercive action against the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar (AD-I)

/True copy/

Sub Assistant Registrar

To

1.The Director,
Directorate of Town and Country Planning,
Chengalvarayan Building,
4th Floor, 807, Anna Salai,
Chennai-02.



2.The Member Secretary,
Tiruchirapalli Local Planning Authority,
No.10, Williams Road,
2nd Floor, Contonment,
Tiruchirapalli-01.

W.P. (MD) No.11783 of 2018
01.06.2018

TA/PM
KK/SKN RSK/SAR-2/11.06.2018/3P-3C