

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.24793 of 2009 and
M.P.No.1 of 2009

R.Srinivasan

.. Petitioner

v.

1. The Commissioner,
Kodaikanal Municipality,
Kodaikanal - Dindigul District.

2 The Secretary to Government,
Local Administration & Water Supply Department,
Fort St. George,
Chennai - 600 009.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue of Writ of Mandamus, forbearing the respondents from not in any manner demolish the Cottage situate at "Dachas" No.19/83-8, Observatory Road, Kodaikanal, Dindigul District pending disposal of the Review Petition filed by the petitioner before the 2nd respondent under Section 217(K) of the Tamil Nadu District Municipalities Act of 1920.

For Petitioner

सत्यमेव जयते
: Mr T.T.Ravichandran

For Respondents

: Mr.S.N.Parthasarathy
Government Advocate

WEB COPY

O R D E R

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

Heard the learned counsel for the petitioner and Mr.S.N.Parthasarathy, learned Government Advocate for the respondents.

2. The petitioner has filed the above Writ Petition to

forbear the respondents from demolishing the Cottage situate at "Dachas" No.19/83-8, Observatory Road, Kodaikanal, Dindigul District, pending disposal of the Review Petition filed by the petitioner before the 2nd respondent under Section 217(K) of the Tamil Nadu District Municipalities Act of 1920.

3. The learned counsel for the petitioner submitted that the petitioner has filed the Review Petition in 2008 in R.O.C.No.3032/2007/F1, dated 14.11.2007, and the same is pending till today. The learned counsel further submitted that it would be suffice, if the respondent No.2 is directed to consider his Review Petition, filed before the 2nd respondent, under Section 217(K) of the Tamil Nadu District Municipalities Act, 1920.

4. In view of the limited prayer being made by the learned counsel for the petitioner, if the Review Petition is still pending, the 2nd respondent is directed to consider the same and dispose it of, within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is, accordingly, disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Commissioner,
Kodaikanal Municipality,
Kodaikanal - Dindigul District.
- 2 The Secretary to Government,
Local Administration & Water Supply Department,
Fort St. George,
Chennai - 600 009.

+1cc to the Government Pleader, S.R.No.75531

W.P.No.24793 of 2009 and
M.P.No.1 of 2009

SJ(CO)
CS/25/09/2019