

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.13559 of 2019

Kassim

.. Petitioner

-vs-

1.The Government of Tamil Nadu,
Rep. by its Secretary, Housing and
Urban Development Dept.,
Fort St. George, Chennai 600 009.

2.The Member Secretary,
Kodaikanal Local Planning Authority,
Kodaikanal, Dindigul District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to consider and pass orders on the petitioner's statutory appeal under Section 80A and 80(A)(3) of the Tamil Nadu Town and Country Planning Act dated 18.03.2019 and further representation dated 01.04.2019 for de-sealing the petitioner's property bearing Old Survey No.389/1B, 387/3, 9 & 10, T.S.No.18/C & 3D, Ward C, Block 18, Law Ghat Road, Kodaikanal, Dindigul District, which was sealed on 29.01.2019 by the 2nd respondent in accordance with law.

For Petitioner : Mr.Rajasekaran D.S.

For Respondents : Mr.S.Kamalesh Kannan
Govt. Advocate

O R D E R

(Order of the Court was made by M.DURAI SWAMY, J.)

The limited prayer sought for by the petitioner in this writ petition is for early disposal of the appeal and stay application filed under Section 80(A) and 80(A)(3) of the Tamil Nadu Town and Country Planning Act, 1971, dated 18.03.2019 as well as the subsequent petition dated 01.04.2019.

2.Mr.S.Kamalesh Kannan, learned Government Advocate, taking notice on behalf of the respondents, submitted that the first respondent may be directed to dispose of the appeal dated 18.03.2019 and the subsequent petition dated 01.04.2019, within a period of twelve weeks.

3.In view of the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner in this writ petition, without expressing any opinion with regard to the merits of the case, we direct the first respondent to dispose of the appeal and the stay application filed under Sections 80(A) and 80(A)(3) of the Town and Country Planning Act, 1971, as well as the subsequent petition dated 01.04.2019 on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

sra

To

1.The Secretary to Government of Tamil Nadu,
Housing and Urban Development Dept.,
Fort St. George, Chennai 600 009.

2.The Member Secretary,
Kodaikanal Local Planning Authority,
Kodaikanal, Dindigul District.

+1 CC to Mr.Rajasekaran , advocate sr 42218.

+1 CC to Govt. Pleader sr 43066.

WEB COPY

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MG(CO)

SP(09/05/2019)