

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.18042 of 2019
and W.M.P.No.17436 of 2019

J.L.Maheswari

.. Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Municipal Administration and Water
Supply Dept., Fort St. George,
Secretariate,
Chennai-600 009.
 2. The Commissioner/Member Secretary,
Uthagamandalam Municipality.
 3. The Local Planning Authority,
Uthagamandalam Municipality.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents from locking and sealing of the building at D.No.82-M3 Lower Kodappamund, Ooty, in R.S.No.1535 Nilgiris District, till the disposal of the appeal dated 05.07.2018 under Section 80A filed before the 1st respondent.

For Petitioner : Mrs.AL.Gandhimathi

For Respondents : Mr.V.Jayaprakash Narayanan,
Govt. Pleader (i/c.) for R-1

: Mr.P.Srinivas
Stdg. Counsel for RR 2 and 3

* * * * *

O R D E R

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

Heard the learned counsel for the petitioner, Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.), who takes notice on behalf of respondent no.1 and Mr.P.Srinivas, learned Standing Counsel, who takes notice on behalf of respondent nos.2 and 3.

2.The case of the petitioner is that lock and seal and demolition notice dated 08.06.2018 under Section 57 read with 85 of the Tamil Nadu Town and Country Planning Act, 1971, was issued to the petitioner in relation to premises situated at D.No.82-M3 Lower Kodappamund, Ooty, in R.S.No.1535 Nilgiris District. The further case of the petitioner is that being aggrieved by the said notice, she has preferred an appeal under Section 80-A of the said Act, on 05.07.2018.

3.The grievance of the petitioner is that though the appeal has been filed on 05.07.2018, the same has not yet been decided, hence, she apprehends that action may be taken against her property and therefore, prays that a direction be issued to dispose of the appeal as expeditiously as possible.

4.In view of the above facts, we direct the first respondent to dispose of the appeal, if not already disposed of, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above observation. No costs. Consequently, W.M.P.No.17436 of 2019 is closed.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

sra

To

1. The Secretary to Govt. of Tamil Nadu,
Municipal Administration and Water
Supply Dept., Fort St. George,
Secretariate,
Chennai-600 009.

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2. The Commissioner/Member Secretary,
Uthagamandalam Municipality.

3. The Local Planning Authority,
Uthagamandalam Municipality.

+1 cc to M/s.AL.Gandhimathi, Advocate, S.R.No.54737

+1 cc to M/s.P.Srinivas, Advocate, S.R.No.55245

+1 cc to the Government Pleader, S.R.No.54894

W.P.No.18042 of 2019

CP(CO)
SSM(01/08/2019)



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