

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 01.08.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.22599 of 2019  
and W.M.P.No.22037 of 2019

M.Dhanalakshmi

.. Petitioner

-vs-

- 1.The Principal Secretary to Govt.,  
Municipal Administration and Water  
Supply Dept., Secretariat, Chennai 600 009.
- 2.The Commissioner of Municipal  
Administration and Water Supply (MA I)  
Dept., Chepauk, Chennai 600 005.
- 3.The District Collector,  
Udhagamandalam, Nilgiris.
- 4.The Commissioner,  
Udhagamandalam Municipality,  
Udhagamandalam, The Nilgiris District.
- 5.The Town Planning Officer,  
Udhagamandalam Municipality,  
Udhagamandalam, The Nilgiris District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 5<sup>th</sup> respondent to remove the lock and seal in respect of the petitioner's premises at Door No.144/1, Walshan Road (Green Fields) Udhagamandalam and on the basis of the petitioner's representation dated 25.03.2019 pending on the file of the 1<sup>st</sup> respondent.

For Petitioner : Mr.M.Gnanasekar

For Respondents: Mr.V.Jayaprakash Narayanan  
Govt. Pleader (i/c.) for RR 1 to 3  
: Mr.P.Srinivas  
Stdg. Counsel for RR 4 and 5

O R D E R  
(Order of the Court was made by M.DURAISWAMY, J.)

The petitioner has filed the above writ petition to issue writ of mandamus directing the fifth respondent to remove the lock and seal notice in respect of the petitioner's premises at Door No.144/1, Walshan Road (Green Fields) Udhagamandalam and on the basis of the petitioner's representation dated 25.03.2019 pending on the file of the first respondent.

2.As against the notice issued by the authorities to lock and seal the petitioner's premises, the petitioner preferred an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 before the first respondent.

3.The learned counsel for the petitioner submitted that the said appeal is scheduled to be heard on 02.08.2019.

4.In the petition, the petitioner has sought for removing the lock and seal in respect of his premises, which is the subject matter of appeal pending before the first respondent. When the petitioner's appeal is posted for hearing on 02.08.2019 and also the relief sought for in the petition is the subject matter in the appeal, the prayer sought for in the present writ petition cannot be granted. However, in the event of the petitioner's appeal being rejected, it is open to the petitioner to challenge the same in accordance with law.

With these observations, the writ petition is disposed of. No costs. Consequently, W.M.P.No.22037 of 2019 is closed.

sra

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Govt.,  
Municipal Administration and Water  
Supply Dept., Secretariat,  
Chennai 600 009.

2.The Commissioner of Municipal  
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3.The District Collector,  
Udhagamandalam, Nilgiris.

4.The Commissioner,  
Udagamandalam Municipality,  
Udagamandalam, The Nilgiris District.

5.The Town Planning Officer,  
Udagamandalam Municipality,  
Udagamandalam, The Nilgiris District.

+1cc to Mr.M.Gnanasekar, Advocate, SR.No.66019  
+1cc to the Govt.Pleader, Vide Sr.No.66356

W.P.No.22599 of 2019

Kak(16/09/2019)



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