



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28.01.2019

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CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.1041 of 2018

and

WMP(MD)No.1080 of 2018

R.Chinnathambi

... Petitioner

vs.

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Municipal Administration and
Water Supply Department,
Secretariat, Fort St.George,
Chennai.
- 2.The Secretary,
Housing & Urban Development Department,
Chennai.
- 3.The Director of Town and Country Planning,
Opposite to LIC, Chengalvarayan Building,
4th Floor, 807, Anna Salai, Chennai - 600 002.
- 4.The Member Secretary / Commissioner,
Kodaikanal Local Planning Authority,
Kodaikkanal Municipality, Kodaikanal,
Dindigul District.
- 5.The Executive Engineer,
TANGEDCO, Kodaikanal Municipality.

... Respondents

(R5 is suo moto impleaded vide court order
dated 10.01.2019)

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 & 2 to approve and publish in the official gazette the new master plan for Kodaikanal Local Planning Area within a time frame fixed by this Court so as to enable the petitioner regularize the unauthorized construction as per the new master plan.



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For Petitioner : Mr.B.Saravanan
For Respondents : Mr.Chellapandian,
Additional Advocate General
assisted by Mr.A.K.Baskarapandian,
Special Government Pleader
for R1 to R3
Mr.T.S.Mohammed Mohideen for R4

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

The petitioner owns property in Kodaikanal. He is running boarding and lodging hotel in the name and style of "Elite Hotel". He was issued with a notice alleging that the construction has been made in deviation of the approved plan. The writ petitioner has also been served with certain adverse orders under the provisions of the Tamil Nadu Town and Country Planning Act, 1971. The petitioner has now submitted a revised building plan. He had earlier filed WP (MD)No.11495 of 2015 and WP(MD)No.5135 of 2017.

2.The writ petitioner's case is that the master plan for Kodaikanal was framed a long time back and that therefore, the authorities will have to publish a new master plan for Kodaikanal Local Planning Area.

3.The learned Additional Advocate General appearing for the respondents 1 to 3 submitted that the New Master Plan in question is to be published shortly.

4.Recording the said submission, this writ petition stands closed. No costs. Consequently, connected writ miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The Secretary,
Housing & Urban Development Department, Chennai.



3. The Director of Town and Country Planning,
Opposite to LIC, Chengalvarayan Building,
4th Floor, 807, Anna Salai, Chennai - 600 002.

4. The Member Secretary / Commissioner,
Kodaikanal Local Planning Authority,
Kodaikkanal Municipality, Kodaikanal, Dindigul District.

5. The Executive Engineer,
TANGEDCO, Kodaikanal Municipality.

+1 CC to Mr.B.SARAVANAN, Advocate (SR-43625[F] dated 30/01/2019)

**WP (MD) No.1041 of 2018
and**

**WMP (MD) No.1080 of 2018
28.01.2019**

skm

MK (26.08.2019) 3P 7C