



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.05.2019

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CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. [MD]No.11635 of 2019
and
W.M.P. [MD]No.8863 of 2019

S.Haja Hussain

: Petitioner

Vs.

1.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai - 9.

2.The Member Secretary,
Local Planning Authority,
Nagercoil, Kanyakumari District.

3.The Commissioner,
Nagercoil Corporation,
Nagercoil, Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first respondent to entertain the revision preferred by the petitioner dated 29.04.2019 and pass orders in accordance with law within a time frame as fixed by this Court and consequently directing the third respondent from taking coercive steps against the petitioner's property in Resurvey No.E-12/2, E-12/10 and E-12/12 of Nagercoil North Village in pursuance of his order dated 24.04.2019 in his proceedings in Ka.Vi.No.874/2016/F2 till disposal of the above revision preferred by the petitioner dated 29.04.2019.

For Petitioner : Mr.A.Ashok Padmaraj

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader



O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

Heard the learned Counsel on either side.

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2.The Writ Petitioner was visited with an order dated 24.04.2019. Questioning the said order passed by the third respondent, the petitioner has moved a revision before the first respondent well within the limitation period. The petitioner's grievance is that the said revision petition is yet to be numbered. His apprehension is that even before numbering the same, coercive action may be taken by the third respondent.

3.Taking note of the said fact, we direct the first respondent to number the revision petition within a period of seven days. It is for the petitioner to move the revisional authority for any interim order, thereafter. The first respondent shall take up the said petition filed by the petitioner on an expeditious basis.

4.The Writ Petition is disposed of, accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Vacation Officer

/ True Copy /

Sub Assistant Registrar(CS)

MR

To

1.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai - 9.

2.The Member Secretary,
Local Planning Authority,
Nagercoil, Kanyakumari District.

3.The Commissioner,
Nagercoil Corporation, Nagercoil, Kanyakumari District.

+1 CC to M/s.M.ASOK PADMARAJ,Advocate(SR-65355[F] dated 09/05/2019)

Order made in
W.P.[MD]No.11635 of 2019
08.05.2019