



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

Writ Petition (MD).No.22840 of 2019

K.S.Mohamed Ashikullah

... Petitioner

Vs.

The Government of Tamilnadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pass orders on the petitioners statutory application preferred by the petitioner dated 20.03.2019 under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff for
M/s.Ajmal Associates

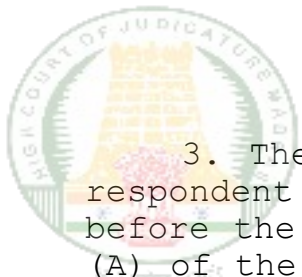
For Respondent : Mr.A.Muthukaruppan,
Additional Government Pleader

O R D E R

(Order of the Court was made by T.S.SIVAGNANAM,J.)

Heard Mr.M.Mahaboob Athiff for M/s.Ajmal Associates, learned counsel for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader for the respondent.

2. The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondent to pass orders on the application filed by the petitioner dated 20.03.2019 under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971.



3. The petitioner being aggrieved by the notice issued by the respondent municipality locking and sealing their premises, is before the appellate authority by way of an appeal under Section 80 (A) of the Tamil Nadu Town and Country Planning Act, 1971. By way of this writ petition, the petitioner seeks for a direction upon the respondent to expedite the disposal of the said appeal. We are not clear as to how many appeals are pending before the respondent as on date and how many of them pertain to unauthorised or illegal or deviated construction in Kodaikanal municipality. Obviously, the number will be quite large. In any event, the petitioner having preferred the appeal in March 2019 and sent the same by speed post, the respondent is directed to consider the appeal filed by the petitioner in the order of seniority by taking note of the date of presentation of the appeal.

4. We make it clear that we have not directed the respondent to dispose of the appeal giving out of turn hearing for the petitioner, who is one of the appellants before the respondent. But, the respondent shall maintain a seniority list and take up the appeal, strictly based on the date of presentation of the appeal.

With the above direction, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

pm

To
The Secretary,
Government of Tamilnadu,
Housing and Urban Development Department,
Fort St. George, Chennai.

+1 CC to M/s.SPL GP (SR-95132[F] dated 31/10/2019)

+1 CC to M/s.AJMAL ASSOCIATES, (SR-95247[F] dated 31/10/2019)

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JMN(13.11.2019) 2P : 4C