

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.5168 of 2020
and
W.M.P.Nos.6102 & 6104 of 2020

Dr.T.A.Kumaresan

... Petitioner

Vs

- 1.The Government of Tamil Nadu,
represented by its Secretary,
Housing and Urban Development,
Chennai - 600009.
- 2.The Director,
Directorate of Town and Country Planning,
807, Annasalai,
Chennai - 600002.
- 3.The District Collector,
Krishnagiri District.
- 4.The Deputy Director,
Town and Country Planning Department,
Krishnagiri District.
- 5.The Tahsildar,
Poganappalli Village,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notice issued by fourth respondent vide Na.Ka.No.210/2020 dated 04.02.2020 and quash the same and consequently, direct the second respondent to dispose

of the appeal dated 20.02.2020 by regularizing the building constructed in Survey S.No.941, Ward-D, Block-9, T.S.No.129/1A, 1B, 1C2, A1 Pt in Poganappalli Village, Krishnagiri District.

For Petitioner : Mr.K.Sathish Kumar
For Respondents: Mr.S.N.Parthasarathy
Government Advocate

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed the present Writ Petition seeking quash of the impugned notice issued by fourth respondent vide Na.Ka.No.210/2020 dated 04.02.2020 and consequently, direct the second respondent to dispose of the appeal dated 20.02.2020 by regularizing the building constructed in Survey S.No.941, Ward-D, Block-9, T.S.No.129/1A, 1B, 1C2, A1 Pt in Poganappalli Village, Krishnagiri District.

2. Heard learned counsel for petitioner and learned Government Advocate appearing for respondents.

3. Though very many contentions have been raised, learned counsel for petitioner submits that petitioner has already filed an appeal u/s.76 of the Town and Country Planning Act, 1971, along with a stay petition before the second respondent, against the demolition notice issued by third respondent and the same is pending. Learned counsel submits that it would suffice if a direction is issued to second respondent to dispose of the appeal within a specified time.

4. Considering the submissions made, this Court directs second respondent to dispose of the stay petition filed by petitioner along with the appeal within a period of two weeks from the date of receipt of this order. Till the disposal of stay petition, parties are directed to maintain status quo as on date. This Court further directs the second respondent to dispose of the appeal within a period of six weeks thereafter.

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The Writ Petition is disposed of with the above direction.
No costs. Connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS V)

/true copy/
Sub Asst. Registrar

gm

To

- 1.The Secretary,
Housing and Urban Development,
Chennai - 600009.
- 2.The Director,
Directorate of Town and Country Planning,
807, Annasalai,
Chennai - 600002.
- 3.The District Collector,
Krishnagiri District.
- 4.The Deputy Director,
Town and Country Planning Department,
Krishnagiri District.
- 5.The Tahsildar,
Poganappalli Village,
Krishnagiri District.

+1 cc to M/s.K.Sathish kumar Advocate sr17557

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cnr(co)
aa02/03/2020