

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.9489 of 2020
& W.M.P.No.11590 of 2020

R.Senthil kumar

.. PETITIONER

Vs

1.The Government of TamilNadu
Rep by its Secretary Housing and Urban
Development Department, Fort.St.George,
Secretariat, Chennai-9.

2.The Member secretary/ Commissioner
Coonoor Municipality Coonoor Local
Planning Authority, Coonoor- 643101.

3.The Executive Engineer,
Electricity Department, Coonoor- 643101. ..RESPONDENT

Petition filed under Article 226 of the Constitution of India praying a writ of mandamus forbearing the Respondents 2 and 3 from taking Coercive action in respect of Property bearing No T.S.NO B/19/1 & B/19/2/2 of Coonoor Town and Coonoor Taluk to an extent of 1615 square feet pursuant to the notice bearing no 11 Reg B.A.142/2016/F1 BL.NO 143/F1/2016 dated 24.6.2020 pending disposal of the Appeal Filed by the petitioner under Section 80 A of the Town Country Planning Act, 1971 dated 3.7.2020 on the file of the 1st Respondent.

For Petitioner .. Mr.M.Rajasekhar

For Respondents .. Mr.G.K.Muthukumar,
Spl.GP for R1
Mr.P.Srinivas for R2,R3

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This writ petition has been filed by the petitioner seeking a writ of mandamus forbearing the respondents 2 and 3 from taking Coercive steps in respect of Property in T.S.No B/19/1 &

B/19/2/2 of Coonoor Town and Coonoor Taluk to an extent of 1615 square feet pursuant to the notice dated 24.6.2020 pending disposal of the appeal filed by the petitioner under Section 80 A of the Town Country Planning Act, 1971.

2. When the matter is taken up for hearing, the learned Special Government Pleader appearing for the first respondent submitted that no such appeal has been filed. On enquiry it was found that an appeal has been filed by the petitioner not to the first respondent but to the Secretary, Municipal Administration and Water Supply, Government of Tamil Nadu, who is the competent authority.

3. In such view of the matter, the petitioner is given liberty to file an appeal within a period of four weeks from the date of receipt of a copy of this order to the first respondent. Till such time, status quo already granted by this Court shall continue. Thereafter, the petitioner is at liberty to get appropriate order from the first respondent.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

raa/kmk

To

1. The Secretary Housing and Urban Development Department, Government of Tamil Nadu
Fort. St. George,
Secretariat, Chennai-9.

2. The Member secretary/ Commissioner
Coonoor Municipality Coonoor Local
Planning Authority, Coonoor- 643101.

3. The Executive Engineer,
Electricity Department, Coonoor- 643101.

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VSN II(CO)
GN(08/10/2020)