

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.9576 of 2020
and WMP No.11692 of 2020

F.Khivraj Sancheti

..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.

..Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of mandamus forbearing the respondents 2 and 3 from taking coercive action in respect of Property bearing No R.S.NO 1170/1 Part T.S.NO 32 Ward B block 39 in Door No 41-B Coonoor Municipality Coonoor to an extent of 0.09.92 Hectors or 24.50 Cents pursuant to the notice bearing No 12 REG B.A.NO 43/2017/F1 BL.40/2017/f1 dated 24.6.2020 received by the Petitioner on 27.6.2020 pending disposal of the Appeal filed by the Petitioner under Section 80 A of the Town and 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.G.P. For R1
Mr.P.Srinivas for R2

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 R.S.No.1170/1 Part T.S.NO 32 Ward B block 39 in Door No 41-B Coonoor Municipality Coonoor to an extent of 0.09.92 Hectors or 24.50 Cents pursuant to the notice dated 24.06.2020 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 the appeal filed by the petitioner under Section 80 A of the Town Country Planning Act, 1971, is pending before the Government for disposal.

3.In such view of the matter, we direct the appeal to be disposed of within a period of four weeks from the date of receipt of a copy of this order. 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

//True Copy//

Sub Assistant Registrar

To

1. The Secretary, Government of TamilNadu
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

W.P.No.9576 of 2020

vbp(co)
rr ii (04/11/2020)