

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM

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

W.P.No.9660 of 2020 &
WMP.Nos.11778 & 11780 of 2020

1.N.Manoharan

2.M.Shanthi

.... Petitioners

Vs

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

2.The Commissioner,
Coonoor Municipality,
Mount Road, Coonoor,
Nilgiris District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to remove the lock and seal put on the premises bearing Door No.325/1, Mount Road, Coonoor, Nilgiris District, pursuant to illegal and void de-occupation notice dated 09.07.2020 and consequently direct the 1st respondent to consider and pass orders in the Appeal/Revision Petition challenging the De-occupation Notice dated 09.07.2020 issued by the 2nd respondent and the Miscellaneous Petition seeking interim direction, within the time stipulated by this Court.

For Petitioners .. Mr.S.B.Viswanathan

For Respondents .. Ms.RJ.Radhika,
Government Advocate
for R1

Mr.P.Srinivas for R2

ORDER

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

What has been challenged in this writ petition is only a consequential order passed by the second respondent.

2.The learned Standing Counsel appearing for the second respondent submitted that the revised plan filed by the petitioner was rejected on 30.12.2015 itself.

3.The learned counsel for the petitioner submitted that no copy of the order rejecting the revised plan has been furnished to the petitioner.

4.We are not inclined to go into the same. Suffice it is to direct the second respondent to give a copy of the order rejecting the revised plan submitted by the petitioner within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is at liberty to file an appeal within a further period of four weeks thereafter. As and when such an appeal is filed, the same shall be disposed of without rejecting it on the ground of limitation.

5.The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

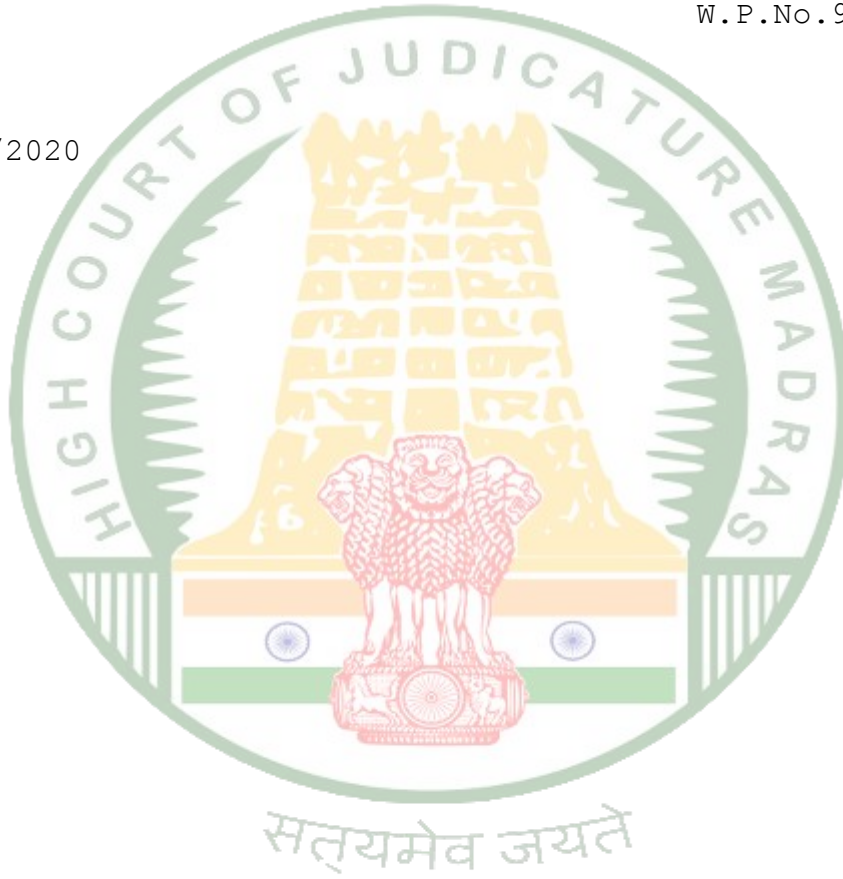
1.The Secretary to Govt. of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Chennai - 9.

2.The Commissioner,
Coonoor Municipality,
Mount Road, Coonoor,
Nilgiris District.

+1cc to Mr.S.B.Viswanathan, Advocate Sr.29784
+1cc to Mr.P.Srinivas, Advocate Sr.29752

W.P.No.9660 of 2020

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srg 08/10/2020



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