



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

W.P. (MD) No.2074 of 2020

M.Malukku Mohammad

... Petitioner

-vs-

1.The Secretary to the Government /
Revisional Authority
State of Tamil Nadu
Housing and Urban Development Department
Fort St.George
Chennai-600 009

2.The Nagercoil Corporation
Rep.through its Commissioner /
Special Officer
Nagercoil
Kanyakumari District

... Respondents

(Cause Title amended vide order
dated 17.02.2020 in W.M.P.(MD)
No.2469 of 2020)

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent / Revisional Authority to hear and dispose the appeal filed by the petitioner, dated 08.11.2019 under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, within a time stipulated by this Court.

For Petitioner: Mr.D.Nallathambi

For Respondents : Mr.R.Murugan
Additional Government Pleader for R1
Mr.P.Adhimoola Pandian
Standing Counsel for R2



O R D E R

[Order of the Court was made by M.DURAISWAMY, J.]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the first respondent / Revisional Authority to dispose of the appeal, dated 08.11.2019, filed by him, under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, within a time stipulated by this Court.

2. The learned counsel appearing for the petitioner submitted that though the petitioner has filed the appeal as early as on 08.11.2019, the first respondent has not disposed of the same till date.

3. Mr.R.Murugan, learned Additional Government Pleader, who takes notice for the first respondent, submitted that the first respondent may be directed to dispose of the appeal filed by the petitioner in accordance with law, within a period of three months.

4. Mr.P.Athimoola Pandian, learned Standing Counsel, who takes notice for the second respondent, also submitted that the first respondent may be directed to dispose of the appeal filed by the petitioner in accordance with law, within a time frame.

5. Having regard to the submissions made by the learned counsel appearing on either side and taking into consideration the limited prayer sought for by the learned counsel appearing for the petitioner, without expressing any opinion with regard to the merits of the case, we direct the first respondent to dispose of the appeal, dated 08.11.2019, filed by the petitioner under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With these observations, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To:

The Secretary to the Government /
Revisional Authority,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George,
Chennai-600 009.

+1 CC to M/s.Special Govt.Pleader (SR-6775[F] dated 18/02/2020)

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-6816[F] dated 18/02/2020)

W.P. (MD) No.2074 of 2020
17.02.2020

krk

SDS (10.03.2020) 3P-4C