



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2020

CORAM

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND**

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No.4245 of 2020

H.Mohamed Ariff

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai-600 009.

2.The Commissioner,
Town and Country Planning,
Opp. To LIC.,
Chengalvarayan Building 4th Floor,
No.807, Anna Salai,
Chennai-600 002.

3.The Regional Deputy Director,
Town and Country Planning,
Madurai Region,
No.4, Hakkeem Ajmalkhan Road,
Chinna Chokkikulam,
Madurai-2.

4.The Member Secretary/Municipal Commissioner,
Kodaikanal Local Planning Authority,
Kodaikanal Municipality,
Kodaikanal, Dindigul District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's appeal filed under Section 80-A of Tamil Nadu Town and Country Planning Act, 1971, dated 10.02.2020 within a time frame as fixed by this Court.

For Petitioner

: M/s.P.Kalaiyarasi Bharathi

For Respondents

: Mr.R.Murugan

Additional Government Pleader
for R.1 to R.3

: Mr.T.S.Mohammed Mohideen
for R.4



ORDER

[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 to dispose of the appeal filed under Section 80-A of Tamil Nadu Town and Country Planning Act, 1971, dated 10.02.2020 within a time frame.

2. The learned Counsel appearing for the petitioner submitted that the first respondent may be directed to dispose of the appeal within a time frame.

3. Mr.T.S.Mohammed Mohideen, learned Counsel taking notice for the fourth respondent, submitted that the building in question was locked and sealed pursuant to the order passed by a Division Bench of this Court in W.P.(MD)No.914 of 2018.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the first respondent may be directed to dispose of the appeal on merits and in accordance with law within a time frame.

5. Having regard to the submissions made by the learned Counsel appearing on either side, taking into consideration the limited prayer sought for by the learned Counsel appearing for the petitioner, without expressing any opinion with regard to the merit of the case, we direct the first respondent to dispose of the appeal in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2020

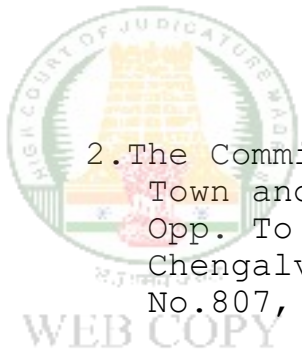
Sub Assistant Registrar(CS)

Ssl

To

1. The Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner,
Town and Country Planning,
Opp. To LIC.,
Chengalvarayan Building 4th Floor,
No.807, Anna Salai, Chennai-600 002.

3.The Regional Deputy Director,
Town and Country Planning,
Madurai Region,
No.4, Hakkeem Ajmalkhan Road,
Chinna Chokkikulam,
Madurai-2.

4.The Member Secretary/Municipal Commissioner,
Kodaikanal Local Planning Authority,
Kodaikanal Municipality,
Kodaikanal, Dindigul District.

+1 CC to Mr.T.S.MOHMED MOHIDEEN, Advocate (SR-9161[F] dated
28/02/2020)

+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate (SR-9262[F] dated
28/02/2020)

+1 CC to SPL GP (SR-9523[F] dated 02/03/2020)

W.P(MD)No.4245 of 2020
28.02.2020

MK (11.03.2020) 3P 8C