



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2020

CORAM:

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

W.P(MD)No.18469 of 2019

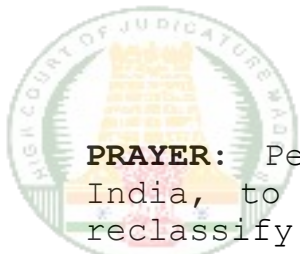
S.C.Sekar

... Petitioner

-vs-

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Municipal Administration and Water
Supply Department,
Secretariat, Fort St. George,
Chennai.
- 2.The Secretary,
Housing and Urban Development Department,
Chennai.
- 3.The Director of Town and Country Planning,
Opposite to LIC,
Chengalvarayan Building,
4th Floor, 807, Anna Salai,
Chennai - 600 002.
- 4.The Member Secretary / Commissioner,
Kodaikanal Local Planning Authority,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.
- 5.The District Collector,
Dindigul District,
Dindigul.
- 6.The Deputy Director,
Office of the Deputy Director,
Town and Country Planning,
Madurai.

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to reclassify the lands in Ward No.C, Block No.11, Town Survey No.38/2 (38pt) Observatory Road, Kodaikanal Town, Dindigul District as Multi use Zone on the basis of the representation of the petitioner dated 20.03.2019 within a time frame fixed by this Court.

For Petitioner : Mr.N.Sathish Babu

For RR 1 to 3, 5 & 6 : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.

For R - 4 : Mr.T.S.Mohammed Mohideen

O R D E R

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

The petitioner has filed the above writ petition to issue a writ of Mandamus, directing the respondents to reclassify the lands in Ward No.C, Block No.11, Town Survey No.38/2 (38pt) Observatory Road, Kodaikanal Town, Dindigul District as Multi use Zone on the basis of the representation of the petitioner dated 20.03.2019.

2.It is the case of the petitioner that though he has given a representation seeking for conversion of the Zone as early as on 20.03.2019 to the respondents, the second respondent has not passed any order so far.

3.Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing for the respondents 1 to 3, 5 and 6 submitted that the second respondent may be directed to consider the petitioner's representation and pass orders in accordance with law within a period of twelve weeks.

4.Mr.T.S.Mohammed Mohideen, learned counsel appearing for the fourth respondent also submitted that the second respondent has to consider the petitioner's representation.

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 for the petitioner, without expressing any opinion with regard to the merits of the case, we direct the second respondent to consider the petitioner's representation dated 20.03.2019 and pass orders, after giving due opportunity of personal hearing, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



6.With these observations, the Writ Petition is disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CO)

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Municipal Administration and Water
Supply Department,
Secretariat, Fort St. George,
Chennai.
- 2.The Secretary,
Housing and Urban Development Department,
Chennai.
- 3.The Director of Town and Country Planning,
Opposite to LIC, Chengalvarayan Building,
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- 4.The Member Secretary / Commissioner,
Kodaikanal Local Planning Authority,
Kodaikanal Municipality,
Kodaikanal, Dindigul District.
- 5.The District Collector,
Dindigul District, Dindigul.
- 6.The Deputy Director,
Office of the Deputy Director,
Town and Country Planning, Madurai.

+1 CC to M/s.N.SATHISH BABU, Advocate (SR-3321[F] dated 28/01/2020)
+1 CC to M/s.T.S.MOHAMED MOHIDEEN, Advocate (SR-3327[F] 28/01/2020)
+1 CC to M/s.Special Govt.Pleader (SR-3343[F] dated 28/01/2020)

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