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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.25746 of 2021

Sudha Pandian

...Petitioner

Vs.

1. The Secretary to Government,
Housing and Urban Department,
Fort St. George,
Chennai - 600 009.
2. The Executive Engineer - II,
Greater Chennai Corporation, Zone-13,
Adayar,
Chennai - 600 020.
3. Assistant Executive Engineer,
Unit 39,
Greater Chennai Corporation, Zone - 13,
Adayar,
Chennai - 600 020.
4. The Assistant Engineer,
Division - 180,
Greater Chennai Corporation, Zone-13,
Adayar,
Chennai - 600 020.
5. The Chairman
Tamil Nadu Slum Clearance Board,
Kamarajar Salai,
Chennai - 600 005.
6. The Managing Director,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai,
Chennai - 600 005.



7. The Estate Officer,
Estate Office - 6,
Tamil Nadu Slum Clearance Board,
Chennai - 600 004.

...Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to dispose the appeal in C.No.12967/2018 UD-7(2)/2018 filed by the petitioner within the time stipulated by this Court.

For petitioner : Mr.R.Marudhachalamurthy

For respondents : Mr.K.V.Sajeev Kumar
Special Government Pleader (for R1)

Mr.K.Raja Shirinivas
Senior Standing Counsel (for R2 to R4)

M/s.D.Latha
Standing Counsel (for R5 to R7)

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

We have heard Mr.R.Marudhachalamurthy, learned counsel for the petitioner, Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the first respondent, Mr.K.Raja Shirinivas, learned Senior Standing Counsel appearing for the respondents 2 to 4 and Mrs.D.Latha, learned Standing Counsel appearing for the respondents 5 to 7.

2.By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The prayer sought for in this writ petition is to issue a Writ of Mandamus directing the first respondent to dispose of the appeal filed by the petitioner in C.No.12967/2018 UD-7(2)/2018 within the time framed.

4.The learned counsel appearing for the petitioner would state that pursuant to the order passed in W.P.No.22103 of 2018, the petitioner has preferred an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act (hereinafter referred as 'Act') before the first respondent on 11.10.2018 and the said appeal is still pending.



5.The learned Special Government Pleader appearing for the first respondent Mr.K.V.Sajeev Kumar would state that the appeal is not disposed of and the first respondent is ready to consider the case of the petitioner.

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6.In the light of the prayer sought for in this writ petition and the submission of the learned counsels, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to dispose of the appeal preferred by the petitioner under Section 80-A of the Act, dated 11.10.2018, on merits and in accordance with law, after affording opportunity of personal hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

skn

To

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+1cc to Mr.R.Marudhachalamurthy, Advocate SR. No.63673
+1cc to M/s.D.Latha, Standing Counsel for TNSCB SR. No.63368

W.P.No.25746 of 2021

GPL (CO)
PR (16/12/2021)