



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD) No.20740 of 2021

A.Thangavel
Trustee,
A.Thangavel Velavan Public Charitable Trust,
161-H Ettaipuram Road,
Tuticorin.

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai.

2.The Member Secretary,
Tuticorin Town and Country Planning Authority,
51, Mela Ratha Veethi,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to pass orders in the petitioner's statutory application dated 25.10.2021, seeking to unlock and unseal the school premises of the petitioner in Survey No.350/2B, Puthur Pandiapuram, Ottaipidaram Panchayat Union, Tuticorin made under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmalkhan
Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mr.M.Ramesh
Government Advocate



ORDER

(Order of the Court was made by PUSHPA SATHYANARAYANA, J.)

The writ petition has been filed by the petitioner seeking for a direction upon the 1st respondent to pass orders in the petitioner's statutory application dated 25.10.2021, seeking to unlock and unseal the school premises of the petitioner in Survey No.350/2B, Puthur Pandiapuram, Ottapidaram Panchayat Union, Tuticorin made under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, within a time frame.

2.Mr.M.Ramesh, learned Government Advocate, accepts notice on behalf of the respondents.

3.By consent of both sides, this Writ Petition itself is taken up for final disposal at the time of admission.

4.Considering the limited scope of the prayer sought for, without going into the merits of the case, the first respondent is directed to pass appropriate orders on the petitioner's statutory application dated 25.10.2021, made under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, which is pending on his file, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner.

5. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To:

1.The Secretary,
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai.

2.The Member Secretary,
Tuticorin Town and Country Planning Authority,
51, Mela Ratha Veethi,
Tuticorin District.

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MGJ(30.11.2021) 3P 3C