



W.P.(MD) No.8580 of 2016.

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.8580 of 2016
and
W.M.P.(MD) No.6879 of 2016**

Gunaseelan

... Petitioner

/vs./

1.The Principal Secretary,
Municipal Administration and Water Supply Department,
State of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai -9.

2.The District Collector,
Dindigul District.

3.The Commissioner,
Kodaikanal Municipality,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondent No.1 to consider the representation dated 03.04.2016 and revised plan submitted by the petitioner.



W.P.(MD) No.8580 of 2016.

WEB COPY

For Petitioner : Mr.R.Alagumani
For R1 & R2 : Mr.V.OM.Prakash
Government Advocate
For R3 : Mr.T.S.Mohamed Mohideen

ORDER

This writ petition has been filed seeking for a Mandamus to consider the representation of the petitioner dated 03.04.2016 and to grant him a revised building permission.

2.It is brought to the notice of this Court that the revised planning permission has been rejected by order dated 21.06.2016 and thereafter, the Local Planning Authority, Kodaikanal had also issued a notice under Sections 56 and 57 of the Town and Country Planning Act, 1990 on 12.04.2016.

3.The learned counsel for the petitioner would submit that the petitioner has not been put on notice of the subsequent orders passed by the Local Planning Authority, Kodaikanal. He would also seek liberty to challenge the said orders under Section 80-A of the Town and Country Planning Act, 1990 by filing a special revision before the appropriate Government.



W.P.(MD) No.8580 of 2016.

WEB COPY

4.In the light of the subsequent events, as sought for, the petitioner is permitted to file an application under Section 80-A of the Town and Country Planning Act, 1990 before the appropriate Government within a period of four weeks from the date of receipt of a copy of this order, if so advised.

5.With the above direction, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
Internet : Yes / No
Index : Yes / No
mm

19.12.2022

To

1.The Principal Secretary,
Municipal Administration and Water Supply Department,
State of Tamil Nadu,
Secretariat, Fort St.George,
Chennai -9.

2.The District Collector,
Dindigul District.

3/4



WEB COPY



W.P.(MD) No.8580 of 2016.

K.KUMARESH BABU, J.

mm

W.P.(MD) No.8580 of 2016

19.12.2022