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S.S.SUNDAR, J.

AND

N.SENTHILKUMAR, J.

[Order of the Court was made by S.S.SUNDAR, J.,]

(1)Learned counsel for the 2nd respondent states that as against the order of demolition of unauthorised construction stated to have been put up by the 2nd respondent, the 2nd respondent has preferred a statutory revision before the Government. He also states that the 2nd respondent's application for retention of building is also pending before the Commissioner.

(2)In view of the statutory remedy available to the 2nd respondent, this Court is not inclined to require compliance on the basis of the enforcement action taken by the respondent earlier.

(3)Since the Government is not made a party in the writ petition, this Court ***suo motu impleads the Principal Secretary to Government, Housing and Urban Development Department, Secretariat, Chennai 600 009, as the 3rd respondent in this writ petition.***

(4)Considering the facts and circumstances of the case, this Court in modification of the earlier order dated 08.11.2023, directs the 3rd



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respondent to consider and dispose of the statutory revision stated to have been filed by the 2nd respondent under Section 80-A of the Town and Country Planning Act, 1971 within a period of sixteen weeks from the date of receipt of a copy of this order. It is also made cleat that the petitioner shall also be given an opportunity of being heard while disposing of the statutory revision of the 2nd respondent.

(5)Till such time the statutory revision of the 2nd respondent is considered and disposed of on merits by the 3rd respondent, the respondents **shall maintain status quo**. However, in case the statutory revision is dismissed for any reason, the 1st respondent is directed to initiate further proceedings in accordance with law pursuant to the order impugned in the writ petition in accordance with the direction by order dated 08.11.2023.

[S.S.S.R., J] [N.S., J]
10.07.2024

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