



WP.No.2196 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

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N.Sathyanaarayana

...petitioner

Vs.

1. The Secretary to the Government,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Udagamandalam Municipality,
Udagamandalam Local Planning Authority,
Udagamandalam.

....respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the 1st respondent to take appropriate action on the representation given by the petitioner dated 09.01.2024 in respect of the appeal filed by the petitioner under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971.



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For petitioner : Mr.J.Chandran Sundar Sashikumar

For respondents

for R1

: Mr.M.Bindran, AGP

for R2

: Mr.P.Srinivas, Standing Counsel

ORDER

(The Order of the Court was made by S.S.SUNDAR, J)

This Writ Petition is filed for issuance of a Writ of Mandamus directing the first respondent to take appropriate action on the representation of the petitioner dated 09.01.2024 in respect of the appeal filed by the petitioner under Section 80-A of the Town and Country Planning Act.

2. The petitioner has put up construction in utter disregard to the plan approval granted to him. Therefore, by an order dated 28.11.2019, proceedings were initiated under Sections 57 and 85 of the Town and Country Planning Act and an order of locking sealing and demolition of the portions constructed in contravention of the permission was issued. The order dated 28.11.2019 shows the nature of all the deviation in the construction put up by the petitioner contrary to the sanctioned plan.



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3. The petitioner has stated that he has filed an appeal before the first respondent under Section 80-A of the Act as against the order dated 28.11.2019. Though the representation of the petitioner dated 09.01.2024, is not for early disposal of the appeal, the learned counsel for the petitioner submits that the petitioner is intended to get a direction from this Court only for early disposal of the statutory appeal, which is pending before the authority concerned under Section 80-A of the Act.

4. Having regard to the submissions now made by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the matter regarding the appeal filed under Section 80-A of the Act, directs the first respondent to consider and dispose of the appeal on merits, within a period of ten weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition is disposed of.
No costs.

(S.S.S.R.J.,) (N.S.J.,)
01.02.2024

Index : Yes / No
Speaking order: Yes/No
pvs



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To

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