



WEB COPY



WP.No.7353 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

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

WP.No.7353 of 2024
and WMP.No.8247 of 2024

1. Roshan Dominic Jude Rayen,
2. Mrs. Lourdes Joavani

...petitioners

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai 600 009.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
Egmore, Chennai 600008.

...respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus directing the first respondent herein to dispose of the statutory appeal dated 29.02.2024 filed by the petitioner under Section 80A of the Tamil Nadu Town and Country Planning Act 1971



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challenging the notice dated 13.02.2024 issued by the 2nd respondent vide Notice No.EC/C-I/6818/2023, till such time forbearing the 2nd respondent from taking any coercive action in pursuant to the notice issued by the 2nd respondent in Notice No.EC/C-I/6818/2023, dated 13.02.2024.

For petitioners : Mr.S.Haja Mohideen Gisthi

For respondents
for R1 : Mrs.V.Yamuna Devi, Spl.G.P.
for R2 : Mr.Y.Bhuvanesh Kumar

ORDER

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

This petition has been filed for issuance of a Writ of Mandamus directing the first respondent herein to dispose of the statutory appeal dated 29.02.2024 filed by the petitioner under Section 80-A of the Tamil Nadu Town and Country Planning Act.

2. The learned counsel for the petitioner states that the statutory revision filed by the petitioner under Section 80-A of the Town and Country Planning Act as against the order/notice dated 13.02.2024, is pending before



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the first respondent. The prayer of the petitioner's counsel is that till such time the petitioner's revision is disposed of in accordance with law, the respondents may be directed not to enforce the order dated 31.12.2024.

3. Considering the limited scope of the prayer and the revision petition, which is pending before the first respondent, this Court is inclined to pass the following order:

- i) the first respondent is directed to consider and dispose the statutory revision filed by the petitioner within a period of sixteen weeks from the date of receipt of a copy of this order;
- ii) Till such time the revision is disposed of by the first respondent, the second respondent shall maintain status quo and there need not be any enforcement action as against the petitioner pursuant to the notice dated 13.02.2024.

4. With the above observations, the Writ Petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R.J.) (N.S.J.)
18.03.2024

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



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