



WEB COPY

W.P.No.13295 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.05.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.P.No.13295 of 2024

Vanitha

...

Petitioner

versus

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai -600 009.

2.The Commissioner,
Karamadai Municipality,
Coimbatore District.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the second respondent from taking any coercive steps until consideration of petitioner's representation dated 22.04.2024 given in reply to the notice dated 02.04.2024 issued by the second respondent in respect of petitioner's building situated in S.F.No.289A/1B Karamadai Village, Mettupalayam Taluk, Coimbatore District and subject to petitioner's right of special appeal/revision under Section 80-A.

For Petitioner	:	Mr.R.Prabakar
For Respondent No.1	:	Mr.C.Kathiravan Special Government Pleader
For Respondent No.2	:	Mr.P.Anandakumar Government Advocate

ORDER



[Order of the Court was made by *A.D.JAGADISH CHANDIRA, J.*]

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By consent, the main Writ Petition itself is taken up for final disposal.

2. This Writ Petition has been filed for the issuance of a writ of mandamus, forbearing the second respondent from taking any coercive steps until consideration of the petitioner's representation dated 22.04.2024.

3. It is the case of the petitioner that she purchased the land in the year 2018 and obtained planning permission and a building permit from the second respondent in the year 2022, and thereafter she constructed the building. While so, on 05.12.2023, a notice was issued to the petitioner for the production of documents, and another notice was issued on 02.04.2024 under Section 56 of the Town and Country Planning Act, 1971. Therefore, the petitioner submitted a reply and she is also processing the appeal under Section 80-A of the Town and Country Planning Act, 1971. In the meantime, the second respondent is trying to take coercive steps. Hence, the petitioner has filed the present Writ Petition.



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4. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the first respondent and the learned Government Advocate for the second respondent.

5. In view of the limited prayer sought for by the petitioner, without going into the merits of the case, the second respondent is directed to consider the representation of the petitioner dated 22.04.2024 and pass orders on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. Till such time, no coercive action will be ordered.

6. With the above direction, this Writ Petition is disposed of. No costs.

[A.D.J.C.,J.] [R.K.M.,J.]
09.05.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri/vca



To

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- 1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai -600 009.
- 2.The Commissioner,
Karamadai Municipality,
Coimbatore District.



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A.D.JAGADISH CHANDIRA, J.
AND
R.KALAIMATHI, J.

sri/vca

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