



W.A.No.1758 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.No.1758 of 2024

Pushpavalli Suresh Babhu

.. Appellant

Vs

1.The Government of Tamil Nadu,
rep. by Secretary to the Government,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director of Town and Country Planning,
O/o. Directorate of Town and Country Planning,
2nd Floor, E&C Market Road,
Koyambedu, Chennai-600 107.

3.The Deputy Director of Town & Country Planning,
O/o. Chengalpattu District Town and
Country Planning Office,
No.124, GST Road,
Periyar Shopping Complex,
Chengalpattu-603 001.

.. Respondents



W.A.No.1758 of 2024

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 22.1.2024 passed by the learned Single Judge in W.P.No.1224 of 2024.

For the Appellant : Mr.M.Nandhakumar

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

By consent, the main writ appeal itself is taken up for final disposal.

2. Heard Mr.M.Nandhakumar, learned counsel for the appellant and Mr.A.Edwin Prabakar, learned State Government Pleader for the respondents.

3. The unsuccessful writ petitioner has filed this writ appeal challenging the order of the learned Single Judge dated 22.1.2024 in W.P.No.1224 of 2024.



W.A.No.1758 of 2024

WEB COPY

4. Learned counsel for the appellant submitted that without considering the pendency of the statutory appeal filed by the appellant before second respondent, the learned Single Judge simply disposed of the writ petition holding that it shall be incumbent upon the appellant to take further steps in accordance with the requirement and, therefore, nothing remains for further consideration in the writ petition. The learned Single Judge also observed that if the appellant has any further grievance, she has to work out her remedies before the proper forum in the manner recognized by law.

5. It is not disputed that the statutory appeal filed by the appellant is pending before the appellate authority.

6. In the light of the submission made by learned counsel on either side, without going into the merits of the rival contentions, we dispose of the appeal by directing the appellate authority to consider the appeal filed by the appellant and pass appropriate orders, on merits and in accordance with law, after providing reasonable



W.A.No.1758 of 2024

opportunity to the parties, within a period of eight weeks from the date of receipt of a copy of this judgment. Such orders shall be passed by the appellate authority uninfluenced by any of the observation made by the learned Single Judge. There shall be no order as to costs.

(R.M.D., ACJ.) (M.S.Q., J.)
24.06.2024

Index : Yes/No
NC : Yes/No
bbr

To

- 1.The Secretary to the Government,
Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director of Town and Country Planning,
O/o. Directorate of Town and Country Planning,
2nd Floor, E&C Market Road,
Koyambedu, Chennai-600 107.
- 3.The Deputy Director of Town & Country Planning,
O/o. Chengalpattu District Town and
Country Planning Office,
No.124, GST Road,
Periyar Shopping Complex,



W.A.No.1758 of 2024

Chengalpattu-603 001.

WEB COPY



WEB COPY



W.A.No.1758 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

bbr

W.A.No.1758 of 2024

24.06.2024