



W.P.No.18713 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.18713 of 2024

and

W.M.P.No.20525 of 2024

R.Mohala

... Petitioner

Vs.

- 1.Principal Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat,
Fort St. George, Chennai – 600 009.
- 2.The Director,
Town and Country Planning Department,
II, III and IV Floor, CMDA Building,
E&C Market Road,
Koyambedu, Chennai – 600 107.
- 3.The Assistant Director,
Town and Country Planning Department,
34, Tamizhmuthu Nagar,
Gondur, Cuddalore.



W.P.No.18713 of 2024

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4. The Commissioner,
Panruti Municipality,
Panruti.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for all the records culminating in the issuance of notice dated 14.06.2024 bearing Number Na.Ka.No.267/2018/F1 issued by the 4th respondent and quash the same and to direct the 2nd respondent to consider the application for regularisation preferred by the petitioner vide a representation dated 06.06.2024 along with an application for building plan approval made vide an application bearing Application Number 516019-2024-LA dated 28.05.2024, under Section 49 of the Tamil Nadu Town and Country Planning Act, 1971, within a time period as may be fixed by this Court.

For Petitioner	:	Mr.P.Munusami
For Respondents	:	Mr.M.R.Gokul Krishnan Additional Government Pleader

ORDER

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

This writ petition is filed challenging the demolition notice dated



W.P.No.18713 of 2024

14.06.2024 issued by the 4th respondent.

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2.Learned Senior Counsel appearing for the petitioner now states that the petitioner has proposed to file a statutory appeal under Section 79 of the Tamil Nadu Town and Country Planning Act, 1971. The apprehension of the learned Senior Counsel appearing for the petitioner is that, pending appeal to be filed by the petitioner, the respondents may take enforcement action.

3.In the said circumstances, considering the grievance expressed by the learned Senior Counsel for the petitioner before this Court, the petitioner is given liberty to file a statutory appeal under Section 79 of the Tamil Nadu Town and Country Planning Act, 1971, within a period of one week from the date of receipt of a copy of this order. If an appeal is preferred by the petitioner within the time prescribed above, the respondents shall consider and dispose of the same on merits and in accordance with law. Till such time the appeal is disposed of on merits and the decision is communicated to the petitioner, the respondents are directed to maintain status *quo*.



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W.P.No.18713 of 2024

4. With these directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.) (N.S., J.)
12.07.2024

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

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State of Tamil Nadu,
Housing and Urban Development Department,
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2. The Director,
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WEB COPY



W.P.No.18713 of 2024

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WEB COPY



W.P.No.18713 of 2024

S.S. SUNDAR, J.
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mkn

W.P.No.18713 of 2024



WEB COPY



W.P.No.18713 of 2024

12.07.2024