



W.P.Nos.20151 & 20154 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.Nos.20151 & 20154 of 2024

and

W.M.P.Nos.22058 & 22062 of 2024

1.D.Senthilkumar

2.S.Shobana

... Petitioners

in W.P.No.20151 of 2024

P.R.V.Thirumoorthie

... Petitioner

in W.P.No.20154 of 2024

Vs.

1.The Secretary to Government,
O/o.Housing and Urban Development Department,
Secretariat, Chennai – 600 009.

2.The Director of Town and Country Planning,
No.807, Anna Salai,
Chennai – 600 002.

3.The Joint Director of Town and Country Planning,
Town and Country Planning Office,
Dr.Nanjappa Salai,



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Coimbatore – 641 018.

4. The Commissioner/Member Secretary,
Pollachi Local Planning Authority,
Pollachi Municipality,
Pollachi, Coimbatore District – 642 001.

... Respondents

Common Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to dispose of the revision/application filed under Sections 80-A and 80A(3) of the Town and Country Planning Act, 1971, by the petitioner, dated 15.02.2024 on giving personal hearing to the petitioner.

For Petitioner	:	Mr.K.V.Muthu Visakan in both writ petitions
For R1 to R3	:	Mr.M.R.Gokul Krishnan Additional Government Pleader in both writ petitions
For R4	:	Mr.B.Anand Standing Counsel in both writ petitions

COMMON ORDER

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

These writ petitions are filed for issuance of a Writ of Mandamus directing the 1st respondent to dispose of the revision/application filed by



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the petitioners under Sections 80-A and 80A(3) of the Tamil Nadu Town and Country Planning Act, 1971, dated 15.02.2024, after giving opportunity of personal hearing to the petitioners.

2.As against the notice issued under Section 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971, dated 10.01.2024, the petitioners state that they have preferred special revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971. The prayer in the present writ petitions is to direct the 1st respondent to dispose of the special revision filed under Section 80-A of the Act, within a reasonable time. The apprehension of the petitioners is that the respondents are likely to enforce the earlier order passed by the respondents. The prayer of the petitioners is that, till such time the statutory revision is disposed of by the Government, the respondents may be directed not to indulge in any enforcement action.

3.Since the enforcement action initiated is subject matter of revision, we are inclined to issue the following directions :

- i. The 1st respondent is directed to dispose of the special revision filed



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by the petitioner under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, on merits and in accordance with law, and communicate the decision to the petitioners, within a period of 16 weeks from the date of receipt of a copy of this order.

- ii. Till such time the special revision is disposed of on merits and the decision is communicated to the petitioners, the respondents shall not initiate any action pursuant to the notice dated 10.01.2024.

4. With these directions, these writ petitions are disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

(S.S.S.R., J.) (N.S., J.)
23.07.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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