



WEB COPY



W.P.No.21087 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.21087 of 2024

and

W.M.P.Nos.23027, 23028 & 23029 of 2024

V.Ramanathan

... Petitioner

Vs.

1.The Principal Secretary,
Government of Tamil Nadu,
Represented by its Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai – 600 009.

2.The Commissioner and Member Secretary,
Local Planning Committee,
Pollachi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
for issuance of a Writ of Mandamus forbearing the 2nd respondent from
taking any coercive steps pursuant to the final show cause notice dated



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10.01.2024 in Na.Ka.No.212/2021/F-1-20, pending disposal of petitioner's

revision petition on the file of the 1st respondent.

For Petitioner : Mr.M.Aravind Subramaniam
Senior Counsel
for Mr.S.Vinoth Kumar

For R1 : Mr.M.R.Gokul Krishnan
Additional Government Pleader

For R2 : Mr.B.Anand
Standing Counsel

ORDER

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

This writ petition is filed for issuance of a Writ of Mandamus forbearing the 2nd respondent from taking any coercive steps pursuant to the final show cause notice dated 10.01.2024, pending disposal of petitioner's revision petition on the file of the 1st respondent.

2.The petitioner purchased the property in 2000 and put up construction for commercial purposes. The 2nd respondent issued a final



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show cause notice dated 10.01.2024 under Section 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971, and under Section 135 of the Tamil Nadu Urban Local Bodies (Amendment) Act, 1998. As against the proceedings initiated by the 2nd respondent, the petitioner has preferred a statutory revision before the 1st respondent, under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971. The apprehension of the petitioner is that the respondents may take coercive enforcement action pursuant to the notice dated 10.01.2024 against the petitioner herein, pending disposal of the statutory revision. Hence, he prays for an order directing the respondents to maintain status *quo* till the disposal of the statutory revision.

3.This Court, in similar circumstances, have passed orders for early disposal of the revision by the Government and to maintain status *quo* in the meanwhile. Having regard to the consistent view taken by this Court, we are inclined to issue the following directions :

- i. The 1st respondent is directed to consider and dispose of the statutory revision, stated to have been filed by the petitioner, under Section



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80-A of the Tamil Nadu Town and Country Planning Act, 1971, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of 16 weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

- ii. Till such time the petitioner's revision petition is disposed of by the 1st respondent on merits and the order is communicated to the petitioner, the respondents are directed to maintain status *quo*.

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

Consequently, connected miscellaneous petitions are closed.

(S.S.S.R., J.) (N.S., J.)
29.07.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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To

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