



WEB COPY

W.P.Nos.31979 & 31981 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2024

CORAM:
THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR. JUSTICE P.B. BALAJI

W.P.Nos.31979 & 31981 of 2024

R.Santhi

..Petitioner in W.P.No. 31979 of 2024

E.N.Rajendran

..Petitioner in W.P.No. 31981 of 2024

Vs

1. The Additional Secretary (Technical)
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai-600009.

2.The Commissioner,
Erode City Municipal Corporation,
Erode – 638001.

..Respondents in both WPs

Common Prayer: Writ Petitions are filed under Article 226 of Constitution of India, for writ of mandamus, directing the 1st respondent to take up the unnumbered Revision Application No. Nil of 2024 filed by the petitioners on 24.04.2024 under Section 80-A of the Tamil Nadu Town and Country Planning Act 1971 and to number and dispose of the same by passing appropriate orders in accordance with law and on merits expeditiously within a stipulated time frame after affording an opportunity of fair hearing to the petitioners and pass such further or other orders.



For Petitioner - Mr.N.S.Suganthan

For Respondents - Mr.S.Yashwanth, AGP - R1

COMMON ORDER

Seeking directions to the 1st respondent to dispose of the Revision Application No. Nil of 2024 filed by the petitioners on 24.04.2024 under Section 80-A of the Tamil Nadu Town and Country Planning Act 1971.

2. The learned counsel for the petitioners has submitted that the petitioners have obtained building plan vide approval no.056/BL/2019/00901 dated 06.12.2019 from the 2nd respondent for the build up area for extent of 1996.00 sq.ft. Thereafter, the petitioners commenced the construction of the said building and due to the covid -19 pandemic, the construction was delayed for two years. The official of the 2nd respondent Corporation had inspected the building on 03.04.2024 and conducted comprehensive field survey measurement at the construction site and issued FORM V bearing notice no. Z1/1/24-25 1 dated 10.04.2024. Thereafter, immediately on 15.04.2024, the respondent issued FORM VII for lock and seal which was served to the



petitioner on 24.04.2024. Aggrieved by the said order, the petitioners have filed a review application under Section 80-A of Tamil Nadu Town and Country Planning Act ,1971 to the 1st respondent on 24.04.2024 and the same is pending till date.

4. Learned Additional Government Pleader appearing for the 1st respondent has submitted that the said revision application will be considered and appropriate orders will be passed within a time frame as fixed by this Court.

5. In view of the submissions made by the learned Additional Government Pleader, the 1st respondent is directed to consider the review application dated 24.04.2024 filed by the petitioners and pass orders on merits and in accordance with the law, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.



D. KRISHNAKUMAR, J.
and
P.B. BALAJI, J.

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6. With the above directions, these writ petition are disposed of. No costs.

(D.K.K., J.) (P.B.B., J.)
07.11.2024

Index : Yes/No

Internet : Yes

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To

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