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WP.No.31735/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P.DHANABAL

WP.No.31735/2024 & WMP.No.34478/2024

Dr.R.Sendill Kumar

... Petitioner

Vs.

1.The Principal Secretary to Government
of Tamil Nadu, O/o.Housing and Urban
Development Department, Secretariat
Chennai 600 009.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of 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 12.07.2024 on giving personal hearing to the petitioner.



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For Petitioner : Mr.K.V.Muthu Visakan
For Respondents : Mr.T.Chezhian, AGP for R1
Mr.B.Anand, Standing counsel for R2

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1) The present writ petition has been filed seeking for issuance of a writ of mandamus to direct the 1st respondent to dispose of the statutory revision filed by the petitioner dated 12.07.2024 under Section 80[A] of the Town and Country Planning Act, 1971, after giving an opportunity of personal hearing to the petitioner.
- (2) The petitioner purchased a building by a Sale Deed dated 22.01.2024 vide Doc.No.671/2024. However, by proceedings dated 21.06.2024, the respondents have called upon the petitioner to regularise the unlawful construction failing which the respondents threatened to initiate to lock and seal the premises in exercise of power under Sections 56 and 57 of the Town and Country Planning Act, 1971. The petitioner however challenged the lock and seal notice dated 21.06.2024 by way of statutory



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revision under Section 80A of the Act. Stating that the respondents are likely to initiate further action during the pendency of the statutory revision, the petitioner has come by way of this writ petition.

(3)Considering the facts and the grievance of the petitioner, this Court is inclined to dispose of this writ petition in the following line:

(4)The 1st respondent is directed to consider and dispose of the statutory revision filed by the petitioner under Section 80A of the Town and Country Planning Act, 1971 dated 21.06.2024 within a period of sixteen weeks from the date of receipt of a copy of this order. Till such time, the statutory revision is disposed of by the 1st respondent in accordance with law, after hearing the petitioner, the respondents shall not initiate any coercive action against the petitioner.

(5)The writ petition stands **disposed of accordingly**. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [P.D.B., J.]
19.11.2024

AP
Internet : Yes



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To

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S.S. SUNDAR, J.,
and
P.DHANABAL, J.,

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