



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10408 of 2024 AND

W.M.P.(MD)No.9374 of 2024

S.Santhiya Devi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai – 9.

2. The Madurai Corporation,
Rep. by its Commissioner,
Anna Maligai, Madurai.

3. The Madurai Local Planning Authority,
Rep. by its Member Secretary,
Madurai Corporation Building, 3rd Floor,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to consider and pass orders upon the revised plan application submitted by the petitioner for the petitioner's building in T.S.No.84 old R.S.No.148/2Pt, Plot No.169 in an extent of 3600 sq.ft Tallakulam Village, Madurai North Taluk, Madurai District within the time frame stipulated by this Court.



For Petitioner : Mr.T.Lajapathi Roy,
Senior counsel,
for Mr.M.Mahaboob Fazil.

For R-1 : Mr.K.Balasubramanian,
Special Government Pleader.

For R-2 & R-3 : Mr.K.Manisekaran
* * *

ORDER

Heard the learned Senior counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the first respondent and the learned Standing counsel appearing for respondents 2 and 3.

2. The petitioner has submitted a revised plan application before the third respondent. He wants the same to be considered. In the typed set of papers, a copy of the order dated 25.03.2024 made in W.P. (MD)No.17907 of 2021 has been enclosed. The said writ petition was filed by one T.Mariappan and the petitioner herein is figuring as the third respondent. The said writ petition was disposed of on 25.03.2024 with a direction to the Corporation to take action for removal of the unauthorised construction. Therefore, if any decision is taken by the third respondent, the said Mariappan should be put on notice inviting



objections from the said Mariappan.

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3. The petitioner's revised plan application shall be disposed of and final order shall be passed. The entire exercise will be completed by the third respondent within a period of ten weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 30.04.2024.

To:

1. The Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai – 9.
2. The Member Secretary,
Madurai Local Planning Authority,
Madurai Corporation Building, 3rd Floor,
Madurai District.



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