



WEB COPY



W.P.No.5324 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.5324 of 2025

and

Writ Miscellaneous Petition No.5902 of 2025

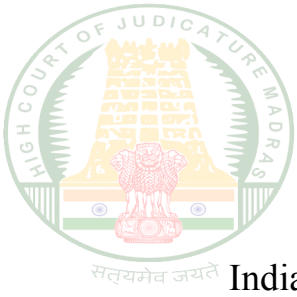
Anandan

... Petitioner

Vs.

1. The Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Secretariat,
Chennai – 600 009.
2. The Commissioner,
Nandivaram, Guduvancherry,
Chengalpet District.
3. The District Collector,
Chengalpet,
Chengalpet District.
4. The Managing Director of Municipalities,
R.A.Puram,
Chennai – 600 028.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the respondents from taking any coercive action against the petitioner's building comprised in Survey No.96/2 & 96/3 (Part), in the Layout named “Srinivasapuram” bearing Plot No.7, Visweswara Iyer Street, Guduvancherry, Chengalpet District, pending disposal of the Appeal dated 04.12.2024 filed by the petitioner under Section 80-A of the Town and Country Planning Act before the Respondents herein.

For Petitioner : Mr.C.Mohan Raj

For R1, R3 & R4 : Mr.V.Jeeva Giridharan
Additional Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ of Mandamus has been instituted to forbear the respondents from taking any coercive action against the petitioner's building comprised in Survey No.96/2 & 96/3 (Part), in the Layout named “Srinivasapuram” bearing Plot No.7, Visweswara Iyer Street, Guduvancherry, Chengalpet District, pending disposal of the Appeal dated 04.12.2024 filed by the petitioner under Section 80-A of the Town and Country Planning Act before the Respondents herein.



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2. The learned counsel for the petitioner would submit that the petitioner has preferred revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971.

3. The writ petition has been instituted seeking an order in the nature of an injunction, during the pendency of the revision before the Government. Such a relief before the writ Court is not entertainable in view of the fact that sub Section (3) to Section 80-A of the Tamil Nadu Town and Country Planning Act, contemplates that the Government may pass such interim order, as they may deemed fit, pending the exercise of the powers under sub Section 1 in respect thereof. Therefore, it is for the petitioner to move an interlocutory application, seeking any interim relief before the Government. During the pendency of the revision, High Court need not entertain a writ petition since the facts on merits ought to be adjudicated by the competent revisional authority in the manner contemplated.

4. Therefore, the petitioner is at liberty to pursue the revision petition before the Government. The writ petition stands dismissed. Stay petition, if any filed by the revision petitioner may be decided as expeditiously as



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possible. There shall be no order as to costs. Consequently, the connected miscellaneous petition also stands dismissed.

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(S.M.S., J.)

(K.R.S., J.)

18.02.2025

ssi

Index: Yes

Speaking Order: Yes/No

Neutral Citation Case : Yes/No

To

1. The Secretary,
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S.M.SUBRAMANIAM., J.



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AND

K. RAJASEKAR., J.

ssi

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