



W.P.No.19798 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.19798 of 2025

K. Devakrishnan

Petitioner

vs.

1. The Directorate of Town and Country Planning
CMDA Office Complex
Srinivasa Nagar
Virugambakkam
Koyambedu
Chennai 600 107
2. The Assistant Director of Town Panchayat
Collectorate
Coimbatore 641 018
3. The Tahsildar
Sulur Taluk
Coimbatore 641 402
4. The District Collector
Coimbatore District 641 018
5. The Executive Officer
Pallapalayam Town Panchayat
Coimbatore 641 103

Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 and 2 to forthwith consider and decide the appeals filed by the petitioner on 07.01.2025 on their merits within a stipulated time frame as per the relevant laws and procedure.

For petitioner Ms. J. Johnsy Greeta
for Mr. J. Kingsly Solomon

For respondents Mr. C. Kathiravan
Special Government Pleader

ORDER

[made by M.SUNDAR, J.]

Captioned 'writ petition' (hereinafter 'WP' for the sake of brevity) has been filed with a prayer for issue of a writ of mandamus *qua* two appeals (both dated 07.01.2025). To be noted, one appeal is before R1 (Director of Town and Country Planning) and another appeal is before R2 (Assistant Director of Town Panchayat).

2. Issue notice to respondents.

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3. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for all the respondents and submits, on instructions, that the aforereferred appeals are not maintainable.

4. We express no opinion or view one way or the other on the same as we propose to make a simple order directing RR 1 and 2 to dispose of the appeals on their own merits and in accordance with law. For the sake of abundant clarity, we deem it appropriate to write that disposal of aforereferred appeals on their own merits and in accordance with law by RR 1 and 2 includes making an order that the appeals are not maintainable, if that be so. However, as alluded to *supra*, we have not expressed any view or opinion on this aspect of the matter in this order.

5. Learned State counsel, on instructions, submits that orders in the aforereferred two appeals (both dated 07.01.2025) will be made as expeditiously as the official business of RR 1 and 2 would permit but in any event within eight weeks from today *i.e.*, on or before 30.07.2025. This submission is recorded.

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6. Orders so made shall be served on the writ petitioner under due acknowledgment within five working days from the dates on which orders are made. Though obvious, we make it clear that all the rights and contentions of writ petitioner as regards orders which RR 1 and 2 are to make, more particularly rights of writ petitioner to assail the same, if so advised and so desired, are also preserved and axiomatically, rights of State also stand preserved.

7. Captioned WP is disposed of in the aforesaid manner recording the stated position of learned State counsel. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
04.06.2025

cad



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and

HEMANT CHANDANGOUDAR, J.

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