



W.P.(MD) No.12461 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.12461 of 2025

and

W.M.P.(MD)No.9080 of 2025

Vignesh Raj

... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Rep. by its Joint Secretary,
Housing and Urban Development Department,
Secretariat, Chennai.

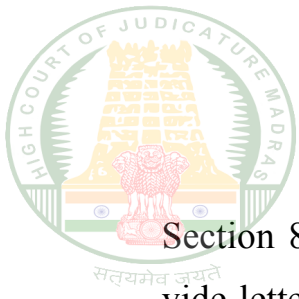
2.The Assistant Director,
Member Secretary,
Dindigul Town and Country Planning Authority,
No.14, Vivekandana Nagar,
Dindigul.

3.The Commissioner,
Dindigul Corporation,
Dindigul.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to conclude the enquiry and pass final orders on the petitioner's statutory application / revision petition under

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Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 initiated vide letter No.6192268/UD-4 (L.RE.2)/2023-2, dated 11.04.2025 within the time that may be stipulated by this Court and consequently, to forbear the respondents from taking any coercive action qua the petitioner's hospital till such disposal in light of the decision of the Hon'ble Apex Court in the Commissioner, Corporation of Madurai, Vs. Dr.Ismail 2017 (5) CTC 558.

For Petitioner : Mr.M.Mahaboob Athiff
For R1 & R2 : Mrs.D.Farjana Ghoushia,
Special Government Pleader
For R3 : Mr.J.Lawrence,
Standing Counsel

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the grievance of the petitioner that his statutory application / review petition filed under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 initiated vide letter No.6192268/UD-4 (L.RE.2)/2023-2, dated 11.04.2025 is pending till date without any progress. Therefore, he has filed this Writ Petition.

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3.Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice on behalf of the respondents 1 and 2, submits that the application of the petitioner would be disposed of and appropriate orders would be passed in accordance with law within a period that may be stipulated by this Court.

4.Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the application or in the affidavit filed in support of this Writ Petition, we direct the 1st respondent to dispose of the application of the petitioner, after giving sufficient opportunity of hearing to the petitioner and pass appropriate orders on merits and in accordance with law within a period of four (4) months from the date of receipt of a copy of this order. Till such time, no coercive steps shall be taken.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
25.04.2025

NCC : Yes / No
Index : Yes / No
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- To
- 1.The Joint Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai.
 - 2.The Assistant Director,
Member Secretary,
Dindigul Town and Country Planning Authority,
No.14, Vivekandana Nagar,
Dindigul.



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AND

S.SRIMATHY, J.

Yuva

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