



WP(MD). No.13741 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 30/04/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.13741 of 2025
and WMP(MD) Nos.9907 and 9908 of 2025

J.Idayadhulla

... Petitioner

Vs

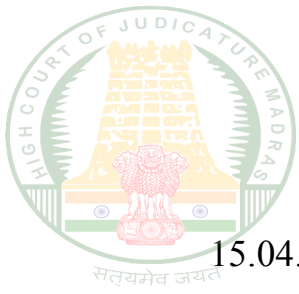
1. The Government of Tamil Nadu,
Represented by its Secretary to
Government, Housing and Urban
Development Departement,
Secretariat,
Chennai 600 009..

2. The Members Secretary,,
District Town and Country Planning Office,
Lakshmipuram North Street,
Karur Town, Karur 639 001..

3. The Commissioner,,
Karur Municipal Corporation
Karur..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings dated



WP(MD). No.13741 of 2025

15.04.2025 passed by the 3rd respondent in Na.ka.No.8149/2017/F1 and quash the same and further forbearing the 3rd respondent from initiating coercive action of locking and sealing action under Section 56 of the Town and Country Planning Act with respect of the property comprised in T.S.No.359/1 part, Door No.4, Pradhaksanam Road, Karur Town, Karur District.

For Petitioner : Mr.A.Mohamed Haneef
For Respondents : Mrs.D.Farjana Ghoushia for R1 & R2
Special Government Pleader
Mr.K.Balasubramani for R3

ORDER

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

The writ petition has been filed challenging the impugned proceedings dated 15.04.2025 passed by the 3rd respondent in Na.ka.No. 8149/2017/F1 and further forbearing the 3rd respondent from initiating coercive action of locking and sealing action under Section 56 of the Town and Country Planning Act with respect of the property comprised in T.S.No.359/1 part, Door No.4, Pradhaksanam Road, Karur Town, Karur District.

2. The petitioner's case is that the property in question was settled in favour of the petitioner by his mother in the year 2013. Subsequently,

2/5



WP(MD). No.13741 of 2025

the petitioner has renovated the same and the ground floor was used as a footwear shop. In the year 2017, when he approached the corporation authorities for planning permission, it was not accepted as if the extent is lesser than 500 st. ft. While so, terming the said building as an encroachment, a suit in OS No.84/2017 has been filed by his neighbour. Subsequently, the 3rd respondent has issued notice under Section 56(1) of the Town and Country Planning Act. Challenging the same, the petitioner preferred a revision before the first respondent under Section 80A of the said Act. While the revision is pending, the 3rd respondent has issued the impugned proceedings dated 15.04.2025. The petitioner is aggrieved by the same.

3. Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.

4. Without going into the merits or the contentions of the petitioner and the respondents, since the revision under Section 80A is pending before the first respondent, this writ petition is disposed of by directing



WP(MD). No.13741 of 2025

the first respondent to dispose of the said revision petition within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently connected Miscellaneous Petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

30.04.2025

NCC : Yes/No

Index : Yes/No

RR

To

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ORDER
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