

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2015

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.1065 of 2015 and M.P. No.1 of 2015

Lakshmi Rajarathinam

Petitioner

vs.

1 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003

2 The Regional Joint Commissioner (South)
Enforcement Cell
Corporation of Chennai
Adyar, Chennai 600 020

3 The Executive Engineer
Corporation of Chennai
Zone XII
Mugalivakkam
Chennai

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records relating to the impugned De-Occupation Notice issued by the second respondent in Notice No.11311 dated 17.12.2014 and quash the same.

For petitioner Mr. S. Arivazhagan
For respondents Mr. K. Soundararajan

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

This writ petition impugns the locking, sealing and de-occupation notice dated 17.12.2014 issued by the second respondent.

2 Pursuant to the impugned notice, the petitioner has preferred

an appeal/revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, on 09.01.2015. Without waiting for the reasonable time as prescribed under the statutory provisions for deciding the appeal/revision, the petitioner has come up with the instant petition, seeking to quash the locking, sealing and de-occupation notice issued by the second respondent.

3 We are afraid that we cannot entertain this writ petition at this stage. The statutory period prescribed for disposal of appeal/revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, is 90 days. The petitioner has filed the appeal/revision only on 09.01.2015. Thus, at this stage, we are not inclined to interfere with the impugned order which is the subject matter of the pending appeal/revision before the authority concerned.

4 Resultantly, the writ petition stands dismissed. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The Commissioner
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Chennai 600 003
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Enforcement Cell
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Adyar, Chennai 600 020
- 3 The Executive Engineer
Corporation of Chennai
Zone XII
Mugalivakkam, Chennai

+lcc to Mr.K.Soundarajan, Advocate Sr 2432

KSJ(CO)
km/27.1.

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