

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.P.No.11000 of 2015
and
M.P.Nos.1 and 2 of 2015

Maruthi Builders rep. By its
Proprietor Pyarelal Jain ... Petitioner

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Chennai - 3.
- 2.The Regional Deputy Commissioner
(Central), Corporation of Chennai,
Zone 8, Chennai - 30.
- 3.The Member Secretary,
CMDA, Thalamuthu Natarajan Building,
Egmore, Chennai - 8.
- 4.The State of Tamil Nadu rep. By
Secretary to Government,
Housing and Urban Development
Department, Fort St. George,
Chennai - 9.
- 5.The Executive Engineer,
Enforcement - Regional Central
Corporation of Madras,
2nd Cross Street (East),
Pulla Avenue, Shenoy Nagar,
Chennai - 30. ... Respondents

Petition filed under Article 226 of The Constitution of India
praying to issue a writ of certiorarified mandamus to call for the
records of the fifth respondent in connection with the impugned order
issued by him in Notice No.Regioncentral/TPENF/0116/2015 dated

20.03.2015 and quash the same and direct the respondents to keep the locking, sealing and demolition of the demised premises comprised in Old No.132-134, New No.151, 153 & 155 of E.V.R. Periyar Salai (Poonamallee High Road), Kilpauk, Chennai - 10 in RS No.454/7, 454/8, 457, 458/1, 458/2 Block No.27, Periamedu Village, Division 72, Zone V, measuring about 5.03 grounds and buildings therein in abeyance pending disposal of the revised planning permission submitted to the third respondent by the petitioner dated 05.02.2015 for conversion of the demised premises from residential into commercial establishment.

For Petitioner .. Mr.K.Venkatramani, Sr. Counsel
for Mr.M.Muthappan

For Respondents... Mr.G.Anantharangan
for R1, R2 and R5
Mr.K.Raja Srinivas for R3
Mr.P.S.Sivashanmugasundaram,
Spl. Govt. Pleader for R4

ORDER

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

The petitioner has come up with the writ petition seeking to quash the notice of the fifth respondent dated 20.03.2015 and for a direction to the respondents to keep the locking, sealing and demolition of the demised premises comprised in Old No.132-134, New No.151, 153 & 155 of E.V.R. Periyar Salai (Poonamallee High Road), Kilpauk, Chennai - 10 in RS No.454/7, 454/8, 457, 458/1, 458/2 Block No.27, Periamedu Village, Division 72, Zone V, measuring about 5.03 grounds and buildings therein in abeyance pending disposal of the revised planning permission submitted to the third respondent by the petitioner dated 05.02.2015 for conversion of the demised premises from residential into commercial establishment.

2.It is submitted by the learned senior counsel appearing for the petitioner that in view of the proceedings of the fourth respondent/Secretary to Government, Housing and Urban Development Department, Secretariat, Chennai - 9 in Letter No.5826/UD-VI(1)/2015-4 dated 17.04.2015, whereunder it was directed that the Corporation of Chennai shall not pursue any action on its lock and seal notice till disposal of building plan regularisation application of the petitioner, nothing survives for adjudication at this stage.

3.In view of the above, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner,
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(Central), Corporation of Chennai,
Zone 8, Chennai - 30.
- 3.The Member Secretary,
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- 4.The Secretary to Government,
Housing and Urban Development
Department, Fort St. George,
Chennai - 9.
- 5.The Executive Engineer,
Enforcement - Regional Central
Corporation of Madras,
2nd Cross Street (East),
Pulla Avenue, Shenoy Nagar,
Chennai - 30.

- + 1 cc to Mr.K.Raja Srinivas, Advocate Sr.22476
- + 1 cc to Mr.M.Muthappan, Advocate Sr.22229
- + 1 cc to Mr.G.Anantharangan, Advocate Sr.22843

W.P.No.11000 of 2015

KSJ(CO)
Eu 30.04.2015