

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2015

CORAM:

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

W.P. No.11339 of 2015 and M.P. Nos.1 and 2 of 2015

P. Srinivasan

Petitioner

Vs.

1 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 009

2 The Executive Engineer
Town Planning Approval Section
Regional Joint Commissioner Office (South)
(Enforcement Cell)
Corporation of Chennai
No.115, Dr. Muthulakshmi Salai
Adyar, Chennai 600 020

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records relating to the locking and sealing notice issued by the second respondent vide their proceedings in Letter No.86 dated 07.11.2013 and to quash the same forbearing the respondents from proceeding further pursuant to the de-occupation notice issued in Notice No.10432 dated 17.03.2015.

For petitioner Mr. S. Sundaresan
For respondents Mr. G. Anantharangan
Standing Counsel

ORDER

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

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to prefer an appeal before the Government under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 and that till such time, status quo as obtained today in respect of the property in question, shall be maintained. He has also made an endorsement to that effect, as under:

"The petitioner may be permitted to withdraw the writ petition and file appeal before Government u/S 80A. Till such time, status quo may be permitted."

2 In view of the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn, with liberty as aforesaid, if so advised. Further, it is made clear that status quo as obtained today, in respect of the property in question, shall be maintained for a period of one week. Besides, in the event of the petitioner preferring an appeal within a period of one week from today, the same shall be considered by the appellate authority, without reference to limitation aspect. No costs. Connected Miscellaneous Petitions are closed.

-s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 009

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Town Planning Approval Section
Regional Joint Commissioner Office (South)
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No.115, Dr. Muthulakshmi Salai
Adyar, Chennai 600 020

+ 1 cc to Mr.S.Sundaresan, Advocate SR 21322

+ 1 cc to Mr.G.Anantharangan, Advocate SR 21275

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