

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2015

CORAM:

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

W.P. No.18064 of 2015 and M.P. No.1 of 2015

Leela Vijayan

Petitioner

Vs.

- 1 The Executive Engineer - Zone X
Corporation of Chennai
Shenoy Nagar
Chennai 600 030
- 2 The Executive Engineer
Enforcement - Region Central
Corporation of Chennai
Shenoy Nagar, Chennai 600 030
- 3 The Regional Deputy Commissioner - Central
Corporation of Chennai
Shenoy Nagar
Chennai 600 030
- 4 The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maligai
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records pertaining to the impugned order in Notice No.REGIONCENTRAL/TPENF/2631/2015 dated 08.06.2015 passed by the first respondent.

For petitioner Mr. Manoj Sreevalsan

For RR 1-3 Mr. A. Nagarajan, Standing Counsel

For R4 Mr. C. Johnson, Standing Counsel

ORDER

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

Mr. A. Nagarajan, learned Standing Counsel, accepts notice for respondents 1 to 3. Mr. C. Johnson, learned Standing Counsel, accepts notice for the fourth respondent. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 The instant writ petition impugns the de-occupation notice dated 08.06.2015 passed by the first respondent under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 (for short "the Act").

3 The case of the petitioner is that she has preferred an appeal under Section 113(A)(6) of the Act impugning the locking, sealing and demolition notice dated 29.05.2015 on 02.06.2015. Thereafter, the impugned de-occupation notice has been issued on 08.06.2015.

4 At this stage, no further adjudication is required in this petition by this Court. In view of the aforesaid facts, the petitioner is at liberty to seek interim relief, if so advised, in the pending appeal.

5 The writ petition stands disposed of accordingly. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

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Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maligai
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

+1 cc to Mr.Manoj Sreevatsan, Advocate,SR.30799

+1 cc to Mr.C.Johnson, Advocate,SR.30964

+1 cc to Mr.A.Nagarajan, Advocate,SR.30822.

Tej (co)
krd 26/6

W.P. No.18064 of 2015



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