

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4/8/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.20641 of 2015

and

M.P. No.1 of 2015

A. Karunakaran

... Petitioner

Vs.

1. The State of Tamil Nadu
rep. By its Secretary
Housing and Urban Development Department
Fort
Chennai.
2. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003.
3. The Junior Engineer
Division No.152 Zone X
Corporation of Chennai
Shastri Nagar
Adayar,
Chennai 600 020.

4. R. Pakkiri

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the first and second respondents herein to forthwith remove the lock and seal and permit the petitioner to complete the renovation work of his house bearing Door No.C-40 comprised in Block No.15 in T.S.No.33, 34 Urur Village, Besant Nagar, Chennai in view of the response No.3 in the letter bearing M.A.13 Na.Ka.No.10762/14 dated 10/12/2014 of the Public Information Officer of the third respondent.

For petitioner : Ms.P.T.Asha
for M/s.Sarvabhauman Associates

For respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader
for R.1

Mr.V.C.Selvasekaran
for R.R.2 and 3.

O R D E R

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

Being aggrieved by the sealing of the premises in question, the petitioner has preferred an appeal before the Appellate Authority on 12th January, 2015. Thereafter, vide letter dated 23rd January, 2015, signed on 27th January, 2015, the Chennai Metropolitan Development Authority, Chennai as well as the Commissioner, Corporation of Chennai, were directed to submit parawar remarks along with the connected original records. In the meantime, awaiting the decision in the pending appeal, the petitioner has preferred the present writ petition, seeking a direction to the first and second respondents to remove the lock and seal and permit the petitioner to complete the renovation work. The question of locking and sealing is pending adjudication in the aforestated appeal before the Appellate Authority.

2. We are informed that the Corporation of Chennai has submitted the parawar remarks and original documents on 29th July, 2015 and also the hearing of the case is fixed on 10th August, 2015. Thus, we do not intend to make any observation on the merits of the case.

3. The learned counsel appearing for the State submits that final decision shall be taken within a period of two weeks from the date of hearing to be held on 10th August, 2015.

4. The learned counsel appearing for the petitioner submits that the petitioner would participate in the hearing with all the relevant documents.

5. In view of the foregoing, we dispose of the matter with a direction to the Appellate Authority to take the final decision on merits and in accordance with law, within a period of two weeks from the date of hearing i.e., from 10th August, 2015.

6. The writ petition stands disposed of with the above directions. Costs made easy. Connected Miscellaneous Petitions is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Secretary,
State of Tamil Nadu
Housing and Urban Development Department
Fort, Chennai.
2. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003.
3. The Junior Engineer
Division No.152 Zone X
Corporation of Chennai
Shastri Nagar
Adayar,
Chennai 600 020.

+1cc to M/s.P.T.Asha, Advocate, S.R.No.40140
+1cc to Mr.A.Nagarajan, Advocate, S.R.No.40281
+1cc to the Government Pleader, S.R.No.40396

W.P. No.20641 of 2015

TS(CO)
CA(19/08/2015)

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