

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14/8/2015

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.24295 of 2015

and

M.P. No.1 of 2015

Ambattur Nadar Uravinmurai
Sangam trust
a registered Trust
rep. By its Managing Trustee
Mr.S.Kesavan Nadar
No.95 Devarajulu Street
Venkatapuram
Ambattur
Chennai 600 053.

... Petitioner

Vs

1. The Secretary
Government of Tamil Nadu
Housing & Urban Development
Fort St. George
Chennai.
2. The Commissioner
Corporation of Chennai
EVR Periyar Salai
Chennai.
3. The Zonal Officer
Zone VII, Ambattur
Corporation of Chennai
Chennai.

सत्यमेव जयते
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4. The Executive Engineer
Enforcement - Regional Central
Corporation of Chennai
2nd Cross Street
East Pulla Avenue
Shenoy Nagar
Chennai 600 030. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the first respondent to dispose of the appeal dated 20/4/2015 submitted by the petitioner.

For petitioner : Mr.Hussai Afroze

For respondents : Mrs.A.Srijayanthi,
Special Government Pleader
for R.1.

Mr.V.C.Selvasekaran
for R.R.2 to 4.

O R D E R

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

Mrs.A.Srijayanthi, learned Special Government Pleader appears on behalf of the first respondent and Mr.V.C.Selvasekaran appears for the respondents 2 to 4. Considering the limited relief, the matter is taken up for final disposal.

2. Seeking a direction to the first respondent to dispose of the pending appeal dated 20th April, 2015 filed under Section 80 A of the Tamil Nadu Town and Country Planning Act (for short "the Act"), the petitioner has filed this petition.

3. Questioning the legality and validity of the Locking & sealing and Demolition Notice dated 18th March, 2015, the petitioner has preferred an appeal under Section 80 A of the Act on 20th April, 2015. Under the provisions of law, the Appellate Authority is required to consider and dispose of the appeal within a period of 90 days. We are informed that no decision has been taken on this appeal till date.

4. Without expressing any opinion on the merits of the case, we direct the Appellate Authority to consider and dispose of the appeal on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above direction. Consequently, M.P. No. 1 of 2015 is dismissed. No costs.

Sd/-
Asst.Registrar(CSIII)

/true copy/

Sub Asst. Registrar

mvs
To

1. The Secretary
Government of Tamil Nadu
Housing & Urban Development
Fort St. George
Chennai.
 2. The Commissioner
Corporation of Chennai
EVR Periyar Salai
Chennai.
 3. The Zonal Officer
Zone VII, Ambattur
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Chennai.
 4. The Executive Engineer
Enforcement - Regional Central
Corporation of Chennai
2nd Cross Street
East Pulla Avenue
Shenoy Nagar
Chennai 600 030
- +1 cc to Mr.Zaffarullah Khan Advocate sr.42894
+1 cc to Government Pleader sr.43264

W.P. No.24295 of 2015

mg(co)
aa01/09/2015