

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30/9/2015

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.30287 of 2015

a n d

M.P.No.1 of 2015

A. Marimuthu

... Petitioner

Vs

1. The Government of Tamil Nadu
rep. By its Secretary
Housing and Urban Development
Fort St. George
Chennai - 600 009.
2. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maligai
No.3 Gandhi Irvin Road
Egmore.
3. The Commissioner
Corporation of Chennai
Rippon Building
Chennai - 600 003.
4. The Executive Engineer
Enforcement - Region Central
Second Cross Street (East)
Pulla Avenue
Shenoy Nagar
Chennai 600 030.

5. The Assistant Executive Engineer
Unit 26
Second Cross Street (East)
Pulla Avenue
Shenoy Nagar
Chennai 600 030.

6. The Junior Engineer
Division 117
Second Cross Street (East)
Pulla Avenue
Shenoy Nagar
Chennai 600 030.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of mandamus to direct the first respondent herein to dispose of Appeal dated 19/9/2015 and further direct the respondents 2 to 6 not to interfere, pending disposal of the said appeal.

For petitioner .. Mr.V.Raghavachari

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

Mr.N.Sampath for R.2

Mr.R.Arunmozhi for R.R.3 to 6

O R D E R

(Delivered by SATISH K. AGNIHOTRI, J.)

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, appears on behalf of the first respondent. Mr.N.Sampath appears for the second respondent and Mr.R.Arunmozhi for the respondents 3 to 6. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2. This writ petition is filed praying to direct the first respondent to dispose of the Appeal dated 19 September, 2015 filed by the petitioner.

3. The learned counsel appearing for the petitioner submits that the fourth respondent had issued a Lock and Seal notice dated 26 August, 2015. Ergo, the petitioners had filed an Appeal Petition under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, on 19

September, 2015 and the same is pending consideration. Hence, the instant writ petition.

4. Without going into the merits of the case, we direct the first respondent to consider the petitioner's application for interim relief as early as possible, if it is filed, preferably within a period of two weeks and also to consider the Appeal Petition within the statutory period prescribed under the provisions of law, on its own merits and in accordance with law, in the light of the order dated 29 September, 2015, passed by this Court in Lalithkumar C.Soni - vs. Government of Tamil Nadu and others.

5. With the aforesaid direction, the writ petition stands disposed of. No costs. Connected Miscellaneous Petition is closed.
Mvs.

Sd/-
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary
Government of Tamil Nadu
Housing and Urban Development Department
Fort St. George
Chennai - 600 009.
2. The Member Secretary,
Chennai Metropolitan Development
Authority, NO.3, Gandhi Erwin Road,
Egmore, Chennai
3. The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 600 003
4. The Executive Engineer (Enforcement-Region Central)
2nd Cross Street (East) Pulla Avenue, Shenoy Nagar,
Chennai - 600 030

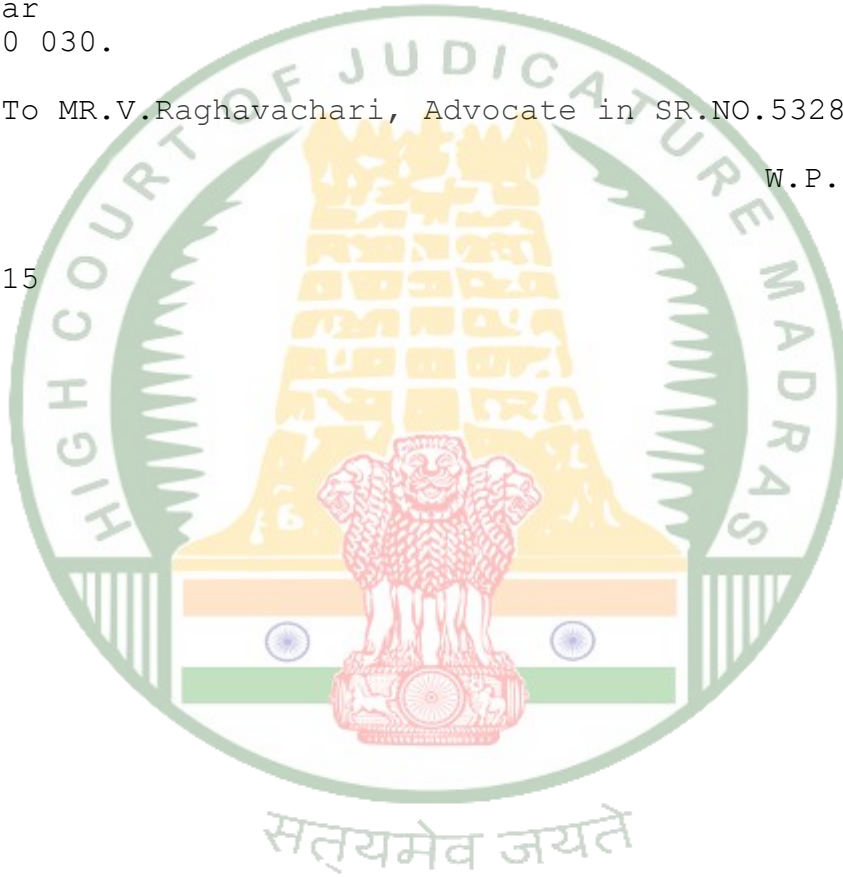
5. The Assistant Executive Engineer
Unit 26
Second Cross Street (East)
Pulla Avenue
Shenoy Nagar
Chennai 600 030.

6. The Junior Engineer
Division 117
Second Cross Street (East)
Pulla Avenue
Shenoy Nagar
Chennai 600 030.

+1 C.C. To MR.V.Raghavachari, Advocate in SR.NO.53281

W.P. No.30287 of 2015

SK(CO)
sd : 14/10/2015



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