

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2015

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.30965 of 2015

and

M.P.No.1 of 2015

L. Komalavalli ... Petitioner
Vs.

- 1 The State of Tamil Nadu,
rep. By Secretary,
Urban Development,
Fort St. George,
Chennai 600 009.
- 2 The Executive Engineer
Enforcement - Region Central,
Regional Office - Central,
Corporation of Chennai
II Cross Street (East),
Pulla Avenue,
Shenoy Nagar, Chennai 600 030 ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to dispose of the petitioner's revision petition under Section 80(1) of the Tamil Nadu Town and Country Planning Act filed on 05.08.2015 pending before the first respondent.

For petitioner Ms. V. Yamunadevi

For respondents Mr.P.S.Sivashanmugasundaram
Special Government Pleader for R1
Mr. A. Nagarajan - R2

O R D E R
(Delivered by SATISH K. AGNIHOTRI, J.)

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, appears for the first respondent. Mr. A. Nagarajan, learned counsel appears for the second respondent. 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 seeking a direction to the first respondent to dispose of the petitioner's revision petition under Section 80(1) of the Tamil Nadu Town and Country Planning Act filed on 05.08.2015, pending before the first respondent.

3 From a perusal of the records, it is seen that the Chennai Corporation has issued a locking, sealing and demolition notice dated 14 May, 2015, under Sections 56 and 57 read with Section 85 of the Act against the petitioner. Thereagainst, the petitioner has preferred a revision before the first respondent under Section 80 (1) of the Act on 05.08.2015, which is pending consideration. It is further seen that along with the said revision, the petitioner has also filed an application for interim stay in terms of the provisions of Section 80 (2) of the Act.

4 Without going into the merits of the case, we are of the considered view that if the revision is filed along with the application for interim relief, the officers are well advised to consider the application for interim relief at the earliest, preferably within a period of two weeks, to avoid further complications.

5 Accordingly, we direct the first respondent to consider the petitioner's application for interim relief as early as possible, preferably within a period of two weeks and also to consider the revision 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 others¹.

6 With the above directions, the writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ra

1 W.PNo.16392 of 2015 batch

To

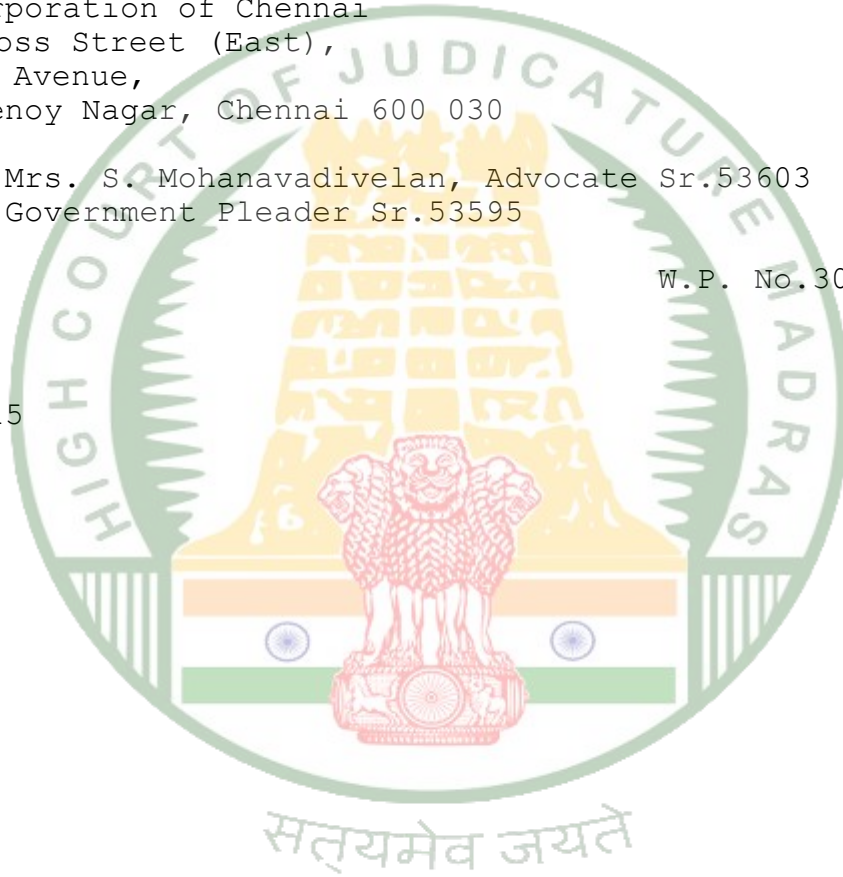
1 The Secretary to Government
Housing and Urban Development
Government of Tamil Nadu
Fort St. George, Chennai 600 009

2 The Executive Engineer
Enforcement - Region Central,
Regional Office - Central,
Corporation of Chennai
II Cross Street (East),
Pulla Avenue,
Shenoy Nagar, Chennai 600 030

+ 1 cc to Mrs. S. Mohanavadivelan, Advocate Sr.53603
+ 1 cc to Government Pleader Sr.53595

W.P. No.30965 of 2015

GGK(CO)
EU 19.10.15



WEB COPY