

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2015

CORAM:

THE HON'BLE MR.JUSTICE M.VENUGOPAL
and
THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P. No.4404 of 2015 and M.P. No.1 of 2015

J.M. Haroon

Petitioner

vs.

1 The Regional Deputy Commissioner (North)
Corporation of Chennai
Basin Bridge Road
Chennai 600 079

2 The Government of Tamil Nadu
represented by its Secretary to Government
Housing & Urban Development Department
Fort St. George
Chennai 600 009

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent from initiating any coercive action of locking and sealing with regard to the building put up at No.170, G.N.T. Road, Kavangarai, Puzhal, Chennai 600 066 till the disposal of the petitioner's appeal petition submitted under Section 80-A of the Act to the second respondent.

For petitioner Mr. R. Mohan

For R1

Mr. G. Anantharangan

For R2

Mr. N. Sakthivel, Government Advocate

ORDER

(Order of the Court was made by M. VENUGOPAL, J.)

Mr. G. Anantharangan, learned Standing Counsel, takes notice for the first respondent and Mr. N. Sakthivel, learned Government Advocate, takes notice for the second respondent. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal at the admission stage itself.

2 It is not in dispute that the petitioner was issued with a locking, sealing and demolition notice dated 10.07.2014 (said to have been received by him on 15.07.2017). As against the said notice dated 10.07.2014, the petitioner has preferred an appeal before the second respondent on 24.07.2014 under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 (for short "the Act"). Along with the said appeal, the petitioner has also filed a stay petition on the very same day under Section 80-A(3) of the Act.

3 In view of the fact that the petitioner's stay petition is pending before the second respondent, this Court is of the considered view that the second respondent is to dispose of the said stay petition within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the second respondent is to dispose of the petitioner's appeal within a period of four weeks (of course, after providing an opportunity of hearing to the petitioner, keeping in view of the principles of natural justice in true letter and spirit). Till orders are passed in the stay petition, there shall be an order of status quo as obtained today.

4 With the above directions, the writ petition stands disposed of. No costs. Connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

cad

To

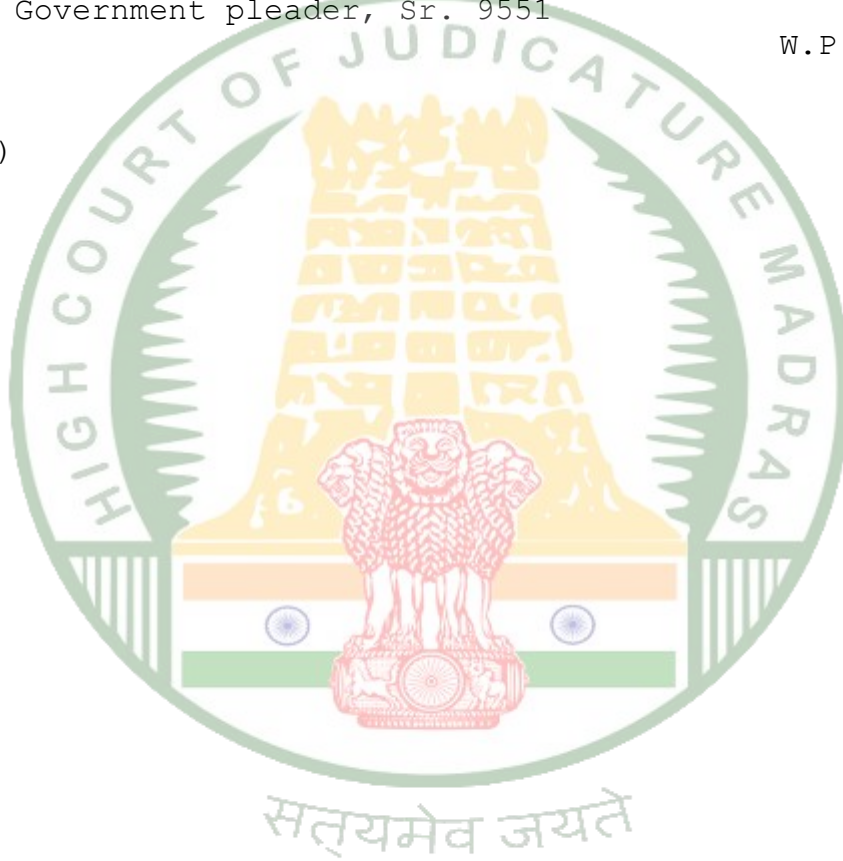
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1 cc to M/s.P. Ramathan, Advocate, sr. 9569
1 cc to M/s.G. Anantharangan, Advocate, Sr. 9364
1 cc to Government pleader, Sr. 9551

W.P. No.4404 of 2015

PPA (CO)
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