

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P.No.5078 of 2015

1. P. Raghunandan
2. Ravi Prabhakar

.. Petitioners

Vs

1. The Secretary to Government
of Tamil Nadu Housing and Urban
Development Department Fort St. George
Chennai 600 009.
- 2 The Member-Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajar Building No.1 Gandhi-
irwin Road Egmore Chennai 600 008.
- 3 The Commissioner
Corporation of Chennai Ripon Building
Chennai 600 003.

..Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus directing the 1st respondent to consider on merits and dispose off the Revision Petition filed on 23.12.2014 under Section 80-A of Town and Country Planning Act 1971 against the De-occupation Notice No.10439 dated 10.12.2014 issued by the 3rd respondent to the Tenant of the petitioners' Building and further forbear the respondents 2 and 3 from taking any enforcement action against the petitioners' building at NO.19 (Old No.9) Dr.Muthulakshmi Salai (L.B.Road), Adyar, Chennai-20.

For petitioners :: Mr. S.J. Jagadev
For respondents:: Mr. P.S.Sivashanmugasundaram
Spl. Govt. Pleader -R1
Mr. N. Sampath - R2
Mr. G. Anantharangan - R3

ORDER

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

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The second respondent has issued de-occupation notice dated 10.12.2014 against the petitioners under Section 56-2(A) and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 (for short "the Act").

3. It is seen that the petitioners have already filed a revision against the proceedings initiated, before the first respondent, which is pending consideration. Therefore, in such view of the matter, without going into the merits of the case, we direct the first respondent to consider and dispose of the said revision, within the statutory period prescribed under the provisions of law, on its own merits and in accordance with law.

4. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ra
To

1. The Secretary to Government
of Tamil Nadu Housing and Urban
Development Department Fort St. George
Chennai 600 009.
 2. The Member-Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajar Building No.1 Gandhi-
irwin Road Egmore Chennai 600 008.
 3. The Commissioner Corporation of Chennai Ripon Building
Chennai 600 003.
- + 1 cc to Mr.G. Anantharangan, Advocate SR.11064
+ 1 cc to Mr.N.Sampath, Advocate SR.10477
+ 1 cc to Mr.S.J. Jagadev
+ 1 cc Government Pleader Sr.10790

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TS (CO)
EU 11.03.2015