

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2016

CORAM

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE DR. JUSTICE S.VIMALA

W.P.No.17212/2016
and
W.M.P.No.14682 of 2016

1.Kumarpal Jain
2.Chetan Jain
3.Ramesh Kumar
4.Kantilal Jain

Petitioners

Vs

1 The Commissioner
Corporation of Chennai
Ripon Building,
Chennai 600 003.

2 The Executive Engineer
Town Planning [Enforcement]
O/o.Regional Deputy Commissioner
[North], Corporation of Chennai
Basin Bridge Road, Chennai 600 021.

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

Respondents

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the respondents 1 and 2 or anybody on their behalf from initiating any coercive action of locking and sealing and demolition with regard to the building put up at No.32/75, Perumal Mudali Street, Sowcarpet, Chennai 600 079, pending determination of the Revision Petition submitted by the petitioners under section 80-A and 80-A (3) of the Tamil Nadu Town and Country Planning Act, dated 25.04.2016.

For Petitioners : Mr.R.Mohan

For Respondents : Mrs.Sri Jayanthi
Special Government Pleader

O R D E R

[Order of the court was made by K.K.SASIDHARAN, J.,]

By consent, the Writ Petition is taken up for final disposal during the time of admission itself.

2. Heard Mr.R.Mohan, the learned counsel appearing for the petitioners and Mrs.Sri Jayanthi, the learned Special Government Pleader, who takes notice on behalf of the respondents.

3. The petitioners have filed a statutory revision before the 3rd respondent, challenging the Notice, dated 19.02.2016. The Special Revision Petition was preferred on 25.04.2016, within few days from the date of receipt of the impugned order. According to the petitioners, the 3rd respondent has not taken up the said revision and as such, there is a possibility of sealing the premises by the 1st respondent. The petitioners have produced the copy of the Revision Petition filed under Section 80-A of the Tamil Nadu Town and Country Planning Act and the stay petition filed under Section 80-A (3) of the said Act.

4. Mrs.Sri Jayanthi, the learned Special Government Pleader, would submit that the stay petition would be disposed of within two weeks from the date of receipt of a copy of this order.

5. We direct the 3rd respondent to consider and dispose of the stay petition filed by the petitioners, on merits and in accordance with law, as expeditiously as possible, and in any case, within a period of two weeks from the date of receipt of a copy of this order. Status quo as on today shall be maintained in the mean time.

6. The Writ Petition is disposed of with the above direction. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Vacation Officer

/true copy/

Sub Asst. Registrar

paa

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To

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1 cc to Mr.R. Mohan, Advocate, Sr. 28072

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