

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.27929 & 27930 of 2011

and

M.P.Nos.1 and 1 of 2011

Textile India,
rep. by its Partner Mohanlal Bisani,
Carrying on business at
Old No.47, New No.92, Ranganathan Street,
T.Nagar,
Chennai-600 017. .. Petitioner in
W.P.27929/2011

Textile India,
rep. by its Partner Mohanlal Bisani,
Carrying on business at
Old No.54, New No.12, Ranganathan Street,
T.Nagar,
Chennai-600 017. .. Petitioner in
W.P.27930/2011

-vs-

1.The Government of Tamil Nadu,
rep. by its Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.

2.The Commissioner,
Corporation of Chennai,
Chennai-600 003.

3.The Executive Engineer-VIII,
Zone-VIII, Corporation of Chennai,
No.64, NSK Salai,
Kodambakkam,
Chennai-600 003.

.. Respondents in
both WPs

W.P.No.27929 of 2011 filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration declaring the order of the second respondent in Letter No.U22 (A).C.No.953/2011 dated 21.09.2011 as null and void and unenforceable and consequently direct the respondents to remove the lock and seal put up at Old No.47, New No.92, Ranganathan Street, T.Nagar, Chennai-17 so as to enable the petitioner to occupy the same for the purpose of carrying on business.

W.P.No.27930 of 2011 filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to remove the lock and seal put up at Old No.54, New No.12, Ranganathan Street, T.Nagar, Chennai-17 so as to enable the petitioner to occupy the same for the purpose of carrying on business as the building has been in existence since 1973 with approved plan.

For Petitioner : Mr.K.Raja

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for R1
Mr.R.Arunmozhi for R2 & R3

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

On hearing the learned counsel for parties, the following agreed order is passed:-

(1)The appeal filed by the petitioner under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 stands withdrawn.

(2)The locking and sealing notice dated 21.9.2011 issued by the Corporation of Chennai stands withdrawn.

(3)In compliance of the notice dated 14.09.2011 calling for the approved plan of the building, the petitioner, who is stated to be a tenant in the premises with the registered lease deed for 20 years dated 16.6.1998 will furnish the approved plans within a week from today. The petitioner will call the owner to be represented before the authorities or obtain a duly approved authorization in his favour to do so.

(4)On the aforesaid being furnished, the

respondents will proceed in accordance with law and pass fresh orders within a maximum period of two months of the expiry of the aforesaid time.

2. The writ petitions, accordingly, stand disposed of, leaving the parties to bear their own costs. Consequently, M.P.Nos.1 and 1 of 2011 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr

To

- 1.The Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner,
Corporation of Chennai,
Chennai-600 003.
- 3.The Executive Engineer-VIII,
Zone-VIII,
Corporation of Chennai,
No.64, NSK Salai,
Kodambakkam,
Chennai-600 003.

+2cc to Mr. K. Raja, Advocate, S.R.No.62083 and 62084
+1cc to Mr.R. Arunmozhi, Advocate, S.R.No.61829
+1cc to the Government Pleader, S.R.No.62185

scd(CO)
md (8/11/2016)

W.P.Nos.27929 & 27930 of 2011