

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH  
and  
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition Nos.20075 to 20080 of 2016  
and connected WMPs.

N.Gandhimathi ...Petitioner in W.P.No.20075/2016  
Karthi @ Kartheesan ...Petitioner in W.P.No.20076/2016  
M. Gulzar Basha Alias Shameel ...Petitioner in W.P.No.20077/2016  
S. Bhawarlal ...Petitioner in W.P.No.20078/2016  
S. Edison ...Petitioner in W.P.No.20079/2016  
E. Mohan ...Petitioner in W.P.No.20080/2016

Vs.

1.The Government of Tamil Nadu  
Rep. By its Secretary to Government  
Housing and Urban Development Department  
Fort St.George  
Chennai-09

2.The Commissioner  
Chennai Corporation  
Rippon Building  
Chennai-600 003

3.The Executive Engineer  
Regional Joint Commissioner (South)  
Enforcement Cell  
Adyar, Chennai-600 020

...Respondents in all WP

Common Prayer:-Writ Petitions 20075 to 20080 of 2016 filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus seeking to call for the records pertaining to the impugned order passed by the 3<sup>rd</sup> respondent in Notice No.5634 dated 30.05.2016 and quash the same and forbear the 3<sup>rd</sup> respondent from intervening the peaceful possession by way of de-occupation to the premises bearing Shop No.B12, B8, G1, B9, G15 and B13, Guru Complex, Thiruvalluvar Nagar, Thiruvannmiyur, Chennai-41.

For Petitioners : Mr.G.Ranganathan

For respondents : Mrs.A.Srijayanthi, Spl.G.P. For R1  
Mr.A.Nagarajan for R2 and R3

COMMON ORDER

(Order of the Court was made by HULUVADI G. RAMESH,J.)

Mrs.A.Srijeyanthi, learned Special Government Pleader is directed to take notice for the 1<sup>st</sup> respondent. Mr.A.Nagarajan, learned Standing counsel is directed to take notice for respondents 2 and 3.

2. Heard the learned counsel for the petitioners.

3. It appears that the petitioners filed Revision Petition under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971, before the 1<sup>st</sup> respondent against the impugned order passed by the 2<sup>nd</sup> respondent in his Notice No.5634/2015 dated 06.01.2016, wherein, the petitioners were called upon to restore the building to its condition before the said construction took place within 30 days of the said notice.

4. Since the Revision Petition filed under Section 80(A) of the Act is pending before the first respondent, who has to decide about the regularization of the building in question, these writ petitions seeking to quash the Notice dated 30.05.2016 cannot be entertained by this court.

5. The petitioners shall await the outcome of the Revision Petition filed under Section 80(A) of the Act and if they are aggrieved by the orders to be passed therein, it is open to them to approach the appropriate forum for their remedy. Hence, we are of the view that these Writ Petitions are too premature. In any event, it is for the respondents/authorities to maintain status quo till the disposal of the Revision Petition dated 08.02.2016.

6. The Writ Petitions are disposed of with the above observation. No costs. Consequently, connected WMPs are closed.

Sd/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

nvsri

To

1.The Secretary to Government  
Rep. By its Secretary to Government  
Housing and Urban Development Department  
Fort St.George  
Chennai-09

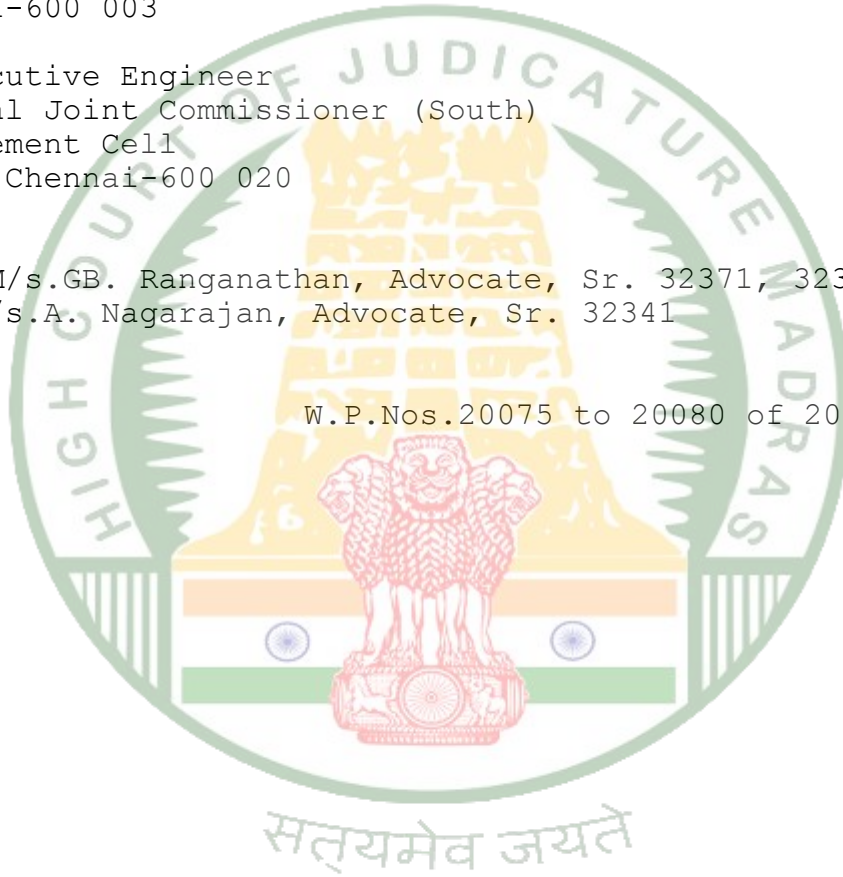
2.The Commissioner  
Chennai Corporation  
Rippon Building  
Chennai-600 003

3.The Executive Engineer  
Regional Joint Commissioner (South)  
Enforcement Cell  
Adyar, Chennai-600 020

6 ccs to M/s.GB. Ranganathan, Advocate, Sr. 32371, 32372  
1 cc to M/s.A. Nagarajan, Advocate, Sr. 32341

W.P.Nos.20075 to 20080 of 2016

MP (CO)  
kk 30/6



WEB COPY