

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.21402 of 2016

Smt.K.Sumithra

..Petitioner

-vs-

1. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003
2. The Executive Engineer
Enforcement Region Central
Corporation of Chennai
Second Cross Street (East)
Pulla Avenue, Shenoy Nagar
Chennai 600 030
3. The Assistant Executive Engineer
Corporation of Chennai
(Unit-22), Second Cross Street (East)
Pulla Avenue, Shenoy Nagar
Chennai 600 030
4. The Assistant Engineer
Corporation of Chennai
(Division-100), Second Cross Street (East)
Pulla Avenue, Shenoy Nagar
Chennai 600 030

5. Smt.K.Vidya

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records regarding the impugned notice of the second respondent, Notice No.REGION CENTRAL/TPENF/ 1802/2016, dated 12.05.2016 issued to the petitioner in respect of the property, situated at No.AJ-52, AJ Block, 4th Street, Anna Nagar, Chennai 600 040 and quash the same as arbitrary, illegal and ultra vires and consequently direct the second respondent to

consider the explanation of the petitioner dated 07.05.2016 after affording sufficient opportunity to the petitioner.

For Petitioner :: Mr.R.Munuswamy

For Respondents:: Mr.A.Nagarajan for R1 to R4

ORDER

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

The petitioner seeks for issuance of a writ of certiorarified mandamus, to call for the records relating to the impugned notice issued by the second respondent to the petitioner in Notice No.REGION CENTRAL/TPENF/ 1802/2016, dated 12.05.2016 in respect of the property situated at No.AJ-52, AJ Block, Fourth Street, Anna Nagar, Chennai 600 040, to quash the same as arbitrary, illegal and ultra vires and to consequently direct the second respondent to consider the explanation of the petitioner dated 07.05.2016 after affording sufficient opportunity to the petitioner.

2. Heard the learned counsel for the petitioner and Mr.A.Nagarajan, learned standing counsel taking notice on behalf of the respondents 1 to 4.

3. As against the impugned locking & sealing and demolition notice, it is for the petitioner to file a special revision petition under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 before the Secretary to Government, Housing and Urban Development Department by making the fifth respondent herein as well a party to the revision. If such a revision petition is filed by the petitioner within a period of one month from today, the same will be considered on merits and disposed of in accordance with law by the Government after hearing the parties. However, till the disposal of the appeal, the parties shall maintain status quo. With this direction, the writ petition stands disposed of. Consequently, W.M.P.Nos.18318 & 18319 of 2016 are closed. No costs.

ss

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

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+ 1 cc to Mr.R.Munuswamy, Advocate Sr 85518

KR/12/7/16

W.P.No.21402 of 2016

सत्यमेव जयते

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