

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH  
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.24768 of 2016

Mrs.Muthulakshmi  
W/o late Padmanabhan

.. Petitioner

-vs-

1. The Secretary  
Housing & Urban Land Development Authority  
Fort St.George, Chennai 600 009

2. The Commissioner  
Corporation of Chennai  
Rippon Buildings, Chennai 600 003

3. The Executive Engineer  
Town Planning Enforcement-Region Central  
Corporation of Chennai  
Regional Office-Central  
Second Cross Street (East)  
Pulla Avenue, Shenoy Nagar  
Chennai 600 030

.. Respondents

Petition under Article 226 of the Constitution of India,  
praying for the issue of a Writ of Mandamus, directing the first  
respondent herein to consider and dispose off the said appeal  
filed with the first respondent on 23.6.2016 against the lock  
and seal order passed by the third respondent dated 6.6.2016  
expeditiously and to take consequential actions.

For Petitioner :: Mr.G.Suryanarayanan

For Respondents:: Mr.P.S.Sivashanmugasundaram  
Special Government Pleader for R1  
Mr.A.Nagarajan for R2 & R3

ORDER

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

Heard the learned counsel for the petitioner, learned Special Government Pleader taking notice on behalf of the State and the learned standing counsel for the Corporation.

2. The petitioner claims to be the owner of the property at Door No.10, Old No.67A, Vellala Street, Aminjikarai, Chennai 600 029 and had put up construction as per the approved plan. However, in connection with the alleged encroachment, the third respondent authority is said to have issued a notice of lock and seal under Section 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971 to the petitioner and the petitioner is also said to have preferred an appeal under Section 79 of the Tamil Nadu Town and Country Planning Act before the first respondent, which is pending consideration. According to the petitioner, she is entitled for regularisation as per the Scheme. As the said appeal has not been considered till date, she has approached this Court.

3. Considering the limited prayer sought for by the petitioner, it is for the first respondent to consider the appeal filed by the petitioner on 23.6.2016 and to take a decision in accordance with law after hearing the petitioner within a period of two months from the date of receipt of a copy of this order. Till such time the appeal is disposed of, status quo shall be maintained. The writ petition is disposed of accordingly. Consequently, W.M.P.No.21171 of 2016 is closed. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Secretary,  
Housing & Urban Development Department,  
Fort St.George,  
Chennai 600 009.

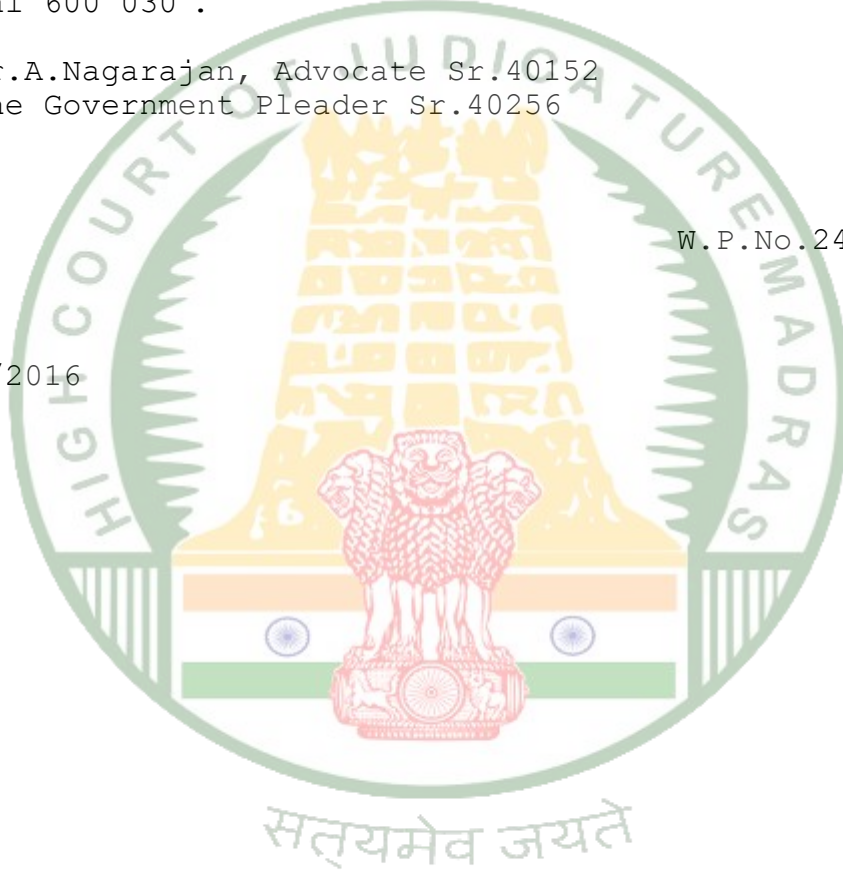
2. The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai 600 003.

3. The Executive Engineer,  
Town Planning Enforcement-Region Central,  
Corporation of Chennai,  
Regional Office-Central,  
Second Cross Street (East),  
Pulla Avenue, Shenoy Nagar,  
Chennai 600 030 .

+1cc to Mr.A.Nagarajan, Advocate Sr.40152  
+1cc to the Government Pleader Sr.40256

W.P.No.24768 of 2016

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srg 03/08/2016



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