

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.284 of 2016
and W.M.P.Nos.175 and 176 of 2016
and Cont.P.No.2157 of 2015

W.P.No.284 of 2016

Karpagam

... Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai - 3.

2.The Executive Engineer,
Corporation of Chennai,
Pulla Avenue, VIII Zone,
Shenoy Nagar, Chennai - 29.

... Respondents

Cont.P.No.2157 of 2015

S.Kanniammal

... Petitioner

Vs.

S.Kalimuthu,
The Executive Engineer,
Corporation of Chennai,
Zone VIII, Pulla Avenue,
Shenoy Nagar, Chennai - 29.

... Respondent

Prayer in W.P.No.284 of 2016: Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the notice affixed on 28.12.2015 under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971 by the first respondent on the house door of the petitioner and quash the same thereby direct the respondents to remove the seal affixed on the petitioner's house bearing Door No.5/2, Chakravarthi Nagar, Ayanavaram, Chennai - 23.

Prayer in Cont.P.No.2157 of 2015: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent herein for not obeying the order of this Court in W.P.No.18912 of 2014 dated 02.09.2014.

Prayer in W.P.No.18912 of 2014:

This petition prayed that this Hon'ble Court may be graciously pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in the nature of Mandamus forbearing the 2nd 3rd and 4th respondents from in any manner permitting the 5th respondent to continue with the construction in the property situate at Plot No.2 New No.5 Chakravarthy Colony Ayanavaram Chennai-23 admeasuring as extent of 2400 sq.ft. comprised in Paimash No.1385 1386 and 1387 Block No.11 T.S.No.27/24 Patta No.SD/ TR/1928/ 05-06 C.A. No.1149/05 and 06 within the Taluk limits of Purasawalkam-Perambur except by demolishing the deviated portion of constructions as identified by the 2nd and 3rd respondents in compliance to the order dated 3.12.2012 passed by this Honourable Court in W.P. No.32051 of 2012

For Petitioner .. Mr.A.R.Nixon in
W.P.No.284 of 2016
Mr.R.Abdul Mubeen
in Cont.P.No.2157 of 2015

For Respondents .. Mr.R.Arunmozhi
in W.P.No.284 of 2016
Mr.V.C.Selvasekaran
in Cont.P.No.2157 of 2015

COMMON ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2.Assailing the notice dated 28 December 2015, issued by the respondents, the petitioner has come up with the instant writ petition.

3.It is informed that the appeal filed by the petitioner under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, challenging the de-occupation notice dated 06 November 2014, is listed for hearing before the concerned authority on 13 January 2016.

4.In view of the above, no adjudication is required at this stage. Accordingly, the writ petition shall stand disposed of. The petitioner is permitted to raise all the grounds and produce the relevant records before the concerned authority. No costs. Consequently, connected miscellaneous petitions are closed.

5.In view of the order passed in W.P.No.284 of 2016, nothing survives in Contempt Petition No.2157 of 2015 and the same is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai - 3.

2.The Executive Engineer,
Corporation of Chennai,
Pulla Avenue, VIII Zone,
Shenoy Nagar, Chennai - 29.

3.The Sub Assistant Registrar,
High Court, Madras

+1cc to Mr.R.Arunmozhi, Advocate, S.R.No.1691

+1cc to Mr.R.Abdulmubeen, Advocate, S.R.No.1483

+1cc to Mr.A.R.Nixon, Advocate, S.R.No.1443

सत्यमेव जयते

W.P.No.284 of 2016

and Cont.P.No.2157 of 2015

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