

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE DR. JUSTICE P. DEVADASS

W.P. No.59 of 2016 and W.M.P. No.21 of 2016

S. Kanniammal

Petitioner

Vs.

- 1 The Secretary,
Housing and Urban Development,
Secretariat, Fort St. George,
Chennai 600 009.
- 2 The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 600 003.
- 3 The Executive Engineer,
Corporation of Chennai,
II Cross Street, Pulla Avenue,
Central Region, Shenoy Nagar,
Chennai 600 030.
- 4 The Executive Engineer,
Corporation of Chennai,
Zone VIII, Pulla Avenue,
Shenoy Nagar, Chennai 600 030.

Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the third and fourth respondents to remove the lock and seal of the petitioner's premises at Door No.7/3, Chakravathi Nagar, Ayanavaram, Chennai 600 023 and consequently direct the first respondent to dispose of the appeal filed by the petitioner on 24.11.2014 within a stipulated period.

For petitioner	Mr. R. Abdul Mubeen
For R1	Mrs. A. Srijayanthi
	Special Government Pleader
For RR 2 to 4	Mr. R. Arunmozhi
	Standing Counsel

O R D E R
(made by SATISH K. AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for the first respondent. Mr. R. Arunmozhi, learned Standing Counsel, accepts notice for respondents 2 to 4. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 Questioning the legality of the de-occupation notice dated 06 November 2014 issued by the Executive Engineer, Corporation of Chennai, the petitioner has filed a writ petition earlier in W.P. No.30230 of 2014. The said writ petition was disposed of by a Division Bench of this Court on 25 November 2014, directing the Appellate Authority to dispose of the pending appeal on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of the order. We are not aware as to whether the said appeal has been disposed of or not.

3 However, the petitioner has come up with the instant writ petition seeking to remove the lock and seal affixed on her premises and for a further direction to the first respondent to dispose of her appeal dated on 24 November 2014 within a stipulated period.

4 Once the matter is pending consideration before the Appellate Authority and in the earlier round of writ petition filed by the petitioner, when this Court has directed the Appellate Authority to consider and pass orders on her appeal dated 24 November 2014, there is no reason to entertain the instant writ petition, wherein, the second limb of the relief sought by her, has already been granted by this Court in the earlier round of writ petition filed by her.

Accordingly, this writ petition stands dismissed sans costs. Connected W.M.P. is closed.

sd/-
Assistant Registrar (Cs-IV)

/TRUE COPY/

Sub-Assistant Registrar

cad

To

- 1 The Secretary
Housing and Urban Development
Secretariat
Fort St. George, Chennai 600 009
- 2 The Commissioner
Corporation of Chennai
Ripon Building, Chennai - 600 003
- 3 The Executive Engineer
Corporation of Chennai
II Cross Street, Pulla Avenue
Central Region, Shenoy Nagar
Chennai 600 030
- 4 The Executive Engineer
Corporation of Chennai
Zone VIII, Pulla Avenue
Shenoy Nagar, Chennai 600 030

+2 CC to MR.R. Abdul Mubeen Advocate. SR.NO.557
+1 CC to MR.R. Arunmozhi Advocate. SR.NO. 530
+1 CC to Govt.Pleader. SR.NO.574

W.P. No.59 of 2016

CO-GR
JD 20/01/2016

सत्यमेव जयते

WEB COPY