

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. No.8098 of 2016
and
W.M.P.No.7223 of 2016

Dr.Mala Raj ..Petitioner

Vs.

- 1.The Secretary to Government,
Housing and Urban Development
(UD-VI(2) Dept.,
Fort St. George, Chennai - 9.
 - 2.The Member Secretary,
Chennai Metropolitan Development
Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.
 - 3.The Corporation of Chennai
rep. by its Commissioner,
Ripon Buildings, Chennai - 3.
 - 4.The Executive Engineer - VIII,
Corporation of Chennai,
Zonal Office - VIII,
Chennai - 10.
- ..Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus forbearing the respondents from taking coercive action against the petitioner's building pursuant to the orders of the first respondent in G.O.3D. No.20 Housing and Urban Development Department (UD-VI(2)) dated 13.01.2016 pending disposal of the review filed under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971 dated 22.02.2016.

For Petitioner .. Mr.M.Muthappan
for M/s.A.Shaik Pareeth

For Respondents .. Mr.G.Saibaba,
Govt. Advocate for R1
Mr.N.Sampath for R2
R3 & R4 - No appearance

ORDER

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

Mr.G.Saibaba, learned Government Advocate accepts notice on behalf of the first respondent and Mr.N.Sampath, learned standing counsel accepts notice on behalf of the second respondent. Though Mr.N.Soundarrajan, learned counsel took notice for respondents 3 and 4, there is no representation on behalf of them.

2.The instant writ petition has been filed for the issuance of a mandamus forbearing the respondents from taking coercive action against the petitioner's building pursuant to the orders of the first respondent in G.O.3D. No.20 Housing and Urban Development Department (UD-VI(2)) dated 13 January 2016 pending disposal of the review filed under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971 dated 22 February 2016.

3.The only relief sought in this writ petition is a direction to the first respondent to dispose of the pending Review filed under Section 80(A) of The Tamil Nadu Town and Country Planning Act, 1971 on 22 August 2015.

4.Learned Government Advocate appearing for the first respondent submits that the pending Review will be disposed of within a period of four weeks on its own merits and in accordance with law.

5.In view of the above submission made by the learned Government Advocate appearing for the first respondent, it is ordered accordingly.

6.With the above observation and direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

mmi

To

- 1.The Secretary to Government,
Housing and Urban Development
(UD-VI(2) Dept.,
Fort St. George, Chennai - 9.
- 2.The Member Secretary,
Chennai Metropolitan Development
Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.
- 3.The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai - 3.
- 4.The Executive Engineer - VIII,
Corporation of Chennai,
Zonal Office - VIII,
Chennai - 10.

+ 1cc to Mr.S. Sampath, Advocate, S.R.No.15455
+ 2 ccs to Mr.G.Saibaba, Advocate Sr.15359

SR(CO)
EU(23/03/2015)

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