

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2016

CORAM:

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

W.P. No.9155 of 2016 and W.M.P. No.8157 of 2016

M.S. Padmanabhan

Petitioner

vs.

The Member Secretary
Chennai Metropolitan
Development Authority
Chennai 600 008

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to remove the seal and open the lock of the premises Plot No.7 (part) and 8 (part), Bazaar Road, Ram Nagar, Madipakkam Road, Pallikaranai, Chennai 600 100.

For petitioner Mr. G. Ravi Sankar
For respondent Mr. N. Sampath, Standing Counsel

ORDER
(delivered by SATISH K. AGNIHOTRI, J.)

Mr. N. Sampath, learned Standing Counsel, accepts notice for the respondent.

2 This writ petition is filed seeking a writ of mandamus directing the respondent to remove the seal and open the lock of the premises in Plot No.7 (part) and 8 (part), Bazaar Road, Ram Nagar, Madipakkam Road, Pallikaranai, Chennai 600 100.

3 On 19 January 2015, while admitting the appeal petition preferred by the petitioner, the State Government, exercising its appellate power, passed the following order:

"I am directed to invite attention to the references cited and to state that in the reference 2nd cited, the appeal preferred by the appellant Thiru M.S. Padmanaban, Chennai - 91 before the Government has been received on 14.01.2015. The same has been examined and

it is hereby ordered to grant extension and to maintain the status quo till the disposal of the appeal pending with Government."

4 Pursuant to the aforesaid order passed by the Government, it appears that the petitioner has not taken any step for over a year. Thereafter, on 02 March 2016, the petitioner addressed a representation to the respondent, viz., the Member Secretary, Chennai Metropolitan Development Authority, to de-seal the property as per the direction of the appellate authority. Finding no response to his application, he has filed the instant writ petition.

5 In the given facts, as aforesaid, the petitioner may approach the appellate authority seeking further direction, as the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked for compliance of the order passed by the appellate authority.

The writ petition stands dismissed with the aforesaid observation. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cad

To
The Member Secretary
Chennai Metropolitan
Development Authority
Chennai 600 008

+1cc to Mr.G. Ravishankar, Advocate, S.R.No.15910
+1cc to Mr.N. Sampath, Advocate, S.R.No.15666

SAI (CO)
EU(18/03/2016)

W.P. No.9155 of 2016