

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.10732 of 2017

and

W.M.P.No.11674 of 2017

K.Kumaraguru

.. Petitioner

vs.

1. Government of Tamil Nadu,
rep. by its Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai - 600 003.
3. The Regional Deputy Commissioner (South),
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai - 600 020.
4. Zonal Officer, Zone - 15,
Greater Chennai Corporation,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.
5. The Executive Engineer, Zone - 15,
Greater Chennai Corporation,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.
6. Assistant Executive Engineer,
Unit - 45, Zone - 15,
Greater Chennai Corporation,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.

7. The Junior Engineer,
Division 194, Zone - 15,
Greater Chennai Corporation,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 112.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus forbearing the respondents 2 to 7 from in any manner proceeding further pursuant to the notice of Locking and Sealing and Demolition dated 28.03.2017 issued by the respondents 5 to 7 in Notice No.U-45/194-152/2017 pending disposal of the stay petition and Appeal preferred before the first respondent against the said notice under Section 80A of the Tamilnadu Town and Country Planning Act and direct the first respondent to dispose of the stay petition filed in the said appeal within the time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Singaravelan
Senior Counsel
for M/s.V.S.Jagadeesan

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader
for 1st respondent

Mr.R.Arunmozhi
for respondents 2 to 7

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The writ petition relates to lock and seal notice in respect of the premises owned by the petitioner at Door No.3/452, Rajiv Gandhi Salai, Okkiyam Thuraipakkam, Chennai-600 097.

2. It is the case of the petitioner that pursuant to the plan approval granted by the Corporation of Chennai, construction had been put up. It is not necessary for us to go into the merits of the contentions, since the petitioner has made an application under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971. There is a provision under Section 80-A (3) for interim order. The petitioner may pursue the application under Section 80-A of the said Act. The application and any prayer made therein for interim order may be

considered in accordance with law. The application for stay shall forthwith be considered.

3. The writ petition, accordingly, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.11674 of 2017 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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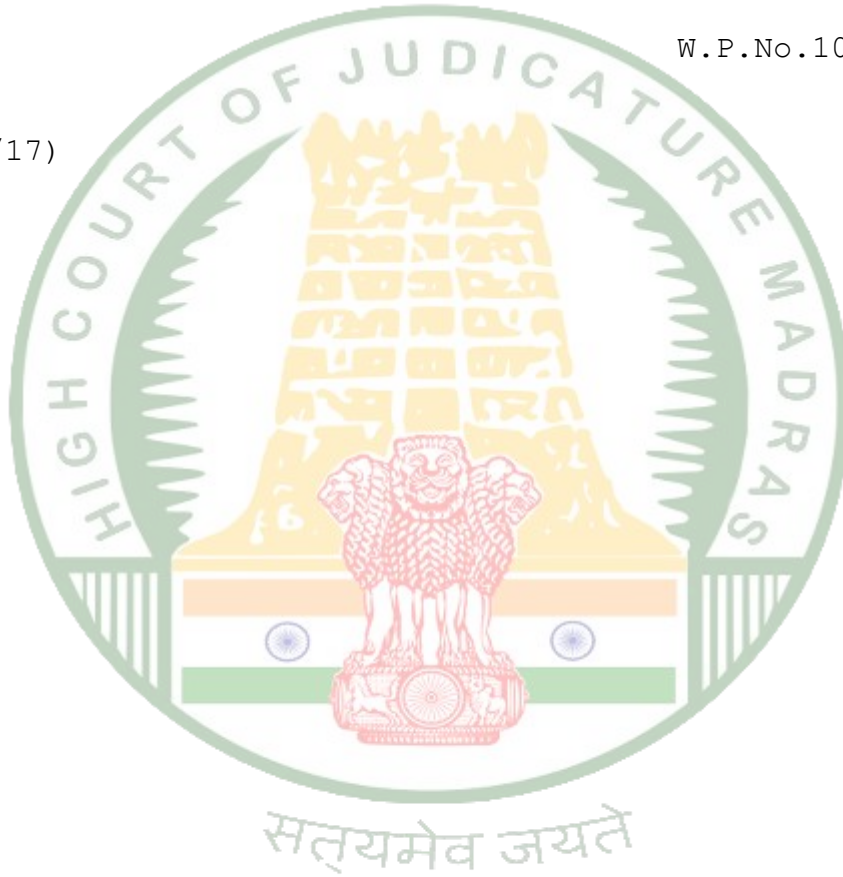
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+1cc to Mr.R.Arunmozhi, Advocate, S.R.No.25848
+1cc to Mr.V.S.Jagadeesan, Advocate, S.R.No.25748
+1cc to the Government Pleader, S.R.No.26473

W.P.No.10732 of 2017

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