

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2017

CORAM

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

W.P.No.9748 of 2017
and
W.M.P.Nos.10725 & 10726 of 2017

A.Prasanna Tilak ... Petitioner

vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Executive Engineer,
Greater Chennai Corporation,
Zone 05, Thiruvattiyur High Road,
Chennai - 600 021. ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records relating to the proceedings of the second respondent in Notice No.05/00239/2017 dated 28.2.2017 followed by notice in Letter No.05/00324/2017 dated 06.03.2017 and quash the same and consequently forbear the respondents from in any manner initiating any coercive measure of lock and sealing/demolishing the petitioner's building situated at "Empire Plaza" bearing Door No.28-26 (221-222 F9), First Floor, NSC Bose Road, George Town, Chennai-600 001.

For Petitioner : Dr.R.Gouri

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for 1st respondent

Mr.V.C.Selvasekaran
for 2nd respondent

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 "Empire Plaza" bearing Door No.28-26 (221-222 F9), First Floor, NSC Bose Road, George Town, Chennai-600 001.

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.Nos.10725 & 10726 of 2017 are closed.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

To:

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Executive Engineer,
Greater Chennai Corporation,
Zone 05, Thiruvattiyur High Road,
Chennai - 600 021.

+1 cc to M/s.Dr.R.Gowri,advocate,sr.24157

+1 cc to Govt.Pleader,sr.24134.

sai(co)
krd 28/4

W.P.No.9748 of 2017