

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2017

CORAM

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

W.P.No.8779 of 2017
and
W.M.P.No.9622 of 2017

S.Rajeswari ... Petitioner

vs.

1. The Government of Tamil Nadu,
rep. by its Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai.
 2. The Assistant Executive Engineer,
Unit - 34, Division 155,
Zone - XI,
Greater Chennai Corporation,
Zone - XI Office,
Arcot Road,
Chennai - 600 087.
- सत्यमेव जयते.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to dispose of the stay petition filed on 20.03.2017 under Section 80-A(3) of the Tamil Nadu Town and Country Planning Act in respect of the property at No.L-26, Azhagapuri, Ramapuram, Chennai-600 009 along with the appeal filed under Section 80-A of the Tamil Nadu Town and Country Planning Act against the order of the second respondent dated 13.03.2017, in Notice No.21/2017.

For Petitioner : Mr.N.C.Ashok Kumar

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

Mr.A.Nagarajan
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 No.L-26, Azhagapuri, Ramapuram, Chennai-600 009

2. It is the case of the petitioner that pursuant to the plan approval granted by the Local Authority (Ramapuram Panchayat), she had put up the construction. The property has been assessed to property tax and the petitioner is regularly paying the property tax. Apart from that the building has been assessed by Chennai Metropolitan Water Sewerage Board and the petitioner is paying charges. 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.9622 of 2017 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

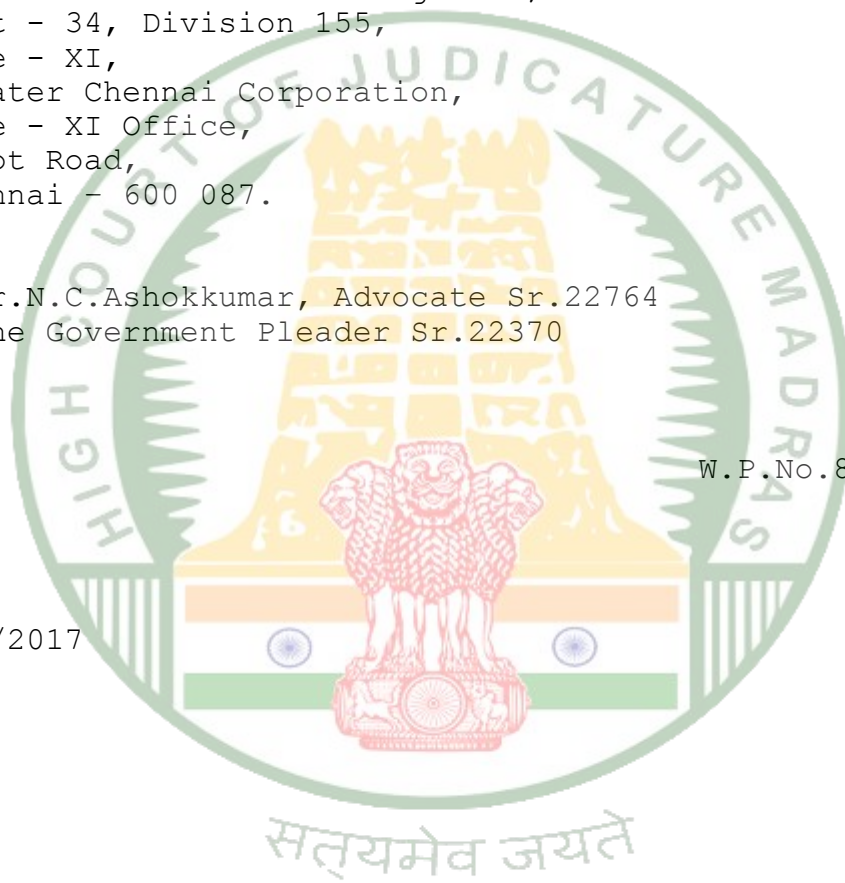
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To:

1. The Secretary to Government,
The Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat,
Chennai.
2. The Assistant Executive Engineer,
Unit - 34, Division 155,
Zone - XI,
Greater Chennai Corporation,
Zone - XI Office,
Arcot Road,
Chennai - 600 087.

+1cc to Mr.N.C.Ashokkumar, Advocate Sr.22764
+1cc to the Government Pleader Sr.22370

W.P.No.8779 of 2017

rsy[co]
srg 26/04/2017



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