

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. Nos.8824 to 8830 of 2017
and W.M.P.Nos.9677 to 9683 of 2017

M.S.Abul Hasan .. Petitioner in all WPs.

-vs-

- 1.The Secretary to Government,
Housing and Urban Development
Dept., Govt. of Tamil Nadu,
Fort St. George, Chennai 600 009.
 - 2.The Assistant Engineer, Unit 13,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai 600 021.
 - 3.The Assistant Executive Engineer,
Division 60, Greater Chennai
Corporation, No.61, Basin Bridge
Road, Chennai 600 021.
 - 4.The Executive Engineer, Zone 05,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai 600 021.
- Respondents in all WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents 2 to 4 or their men, officials, subordinates, or anybody acting under or in trust for them from locking and sealing Shop Nos.G-1 to 7 at premises bearing Door Nos.28-26 (221 & 222), NSC Bose Road, Chennai 600001, as contained in the notices dated 01.03.2017 (WP.8824/2017) and 06.03.2017 (WPs.8825-8830/2017) of respondents 2 to 4 under reference Notice Nos. 05/000149/2017, 05/000327/2017, 05/00323/2017, 05/00320/2017, 05/00325/2017, 05/00322/2017 and 05/00330/2017, pending disposal of the petitioner's statutory appeals before the 1st respondent dated 30.03.2017.

For Petitioner : Mr.Ashok Menon
For Respondents : Mr.M.K.Subramanian,
Govt. Pleader for R-1
: Mr.R.Arunmozhi for RR 2 to 4

* * * * *

COMMON ORDER

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

These writ petitions relate to lock and seal notices in respect of the shops owned by the petitioner being Shop Nos. 1 to 7 bearing Door No.28-26 (221 & 222) at NSC Bose Road, Chennai.

2.It is the case of the petitioner that the first and second floors were unauthorised, but not the ground floor. It is not necessary for us to go into the merits of the contentions, since the petitioners have made applications 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 orders. The petitioner may pursue the applications under Section 80-A of the said Act. The appeals and any application made therein for stay may be considered in accordance with law. The application for stay shall forthwith be considered.

3.Writ petitions are, accordingly, disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.9677 to 9683 of 2017 are closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

sra

To

1.The Secretary to Government,
Housing and Urban Development
Dept., Govt. of Tamil Nadu,
Fort St. George, Chennai 600 009.

WEB COPY

2.The Assistant Engineer, Unit 13,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai 600 021.

3.The Assistant Executive Engineer,
Division 60, Greater Chennai
Corporation, No.61, Basin Bridge
Road, Chennai 600 021.

4.The Executive Engineer, Zone 05,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai 600 021.

+2cc to Mr.Ashok Menon,Advocate sr.22199

+1cc to M/s.R.Arunmozhi,Advocate sr.22235

+1cc to Government Pleader sr.22367

W.P.Nos.8824 to 8830 of 2017

vd(co)
ss(25/4/2017)



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