

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.05.2017

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.Nos.13124/2017

WMP Nos.14100 &14101/2017

1.Mr.Rohith Kumar S.Jain,
2.Mr.Piyush Kumar S.Jain,

..Petitioners

Vs

1. Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2. Government of Tamil Nadu,
Rep.by its Secretary to Government,
Housing and Urban Development Department,
Fort St.George,
Chennai-9.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the first Respondent or anybody on their behalf from initiating any coercive action of locking and sealing and demolition with regard to the ground or flat at Block-I under the occupation of the petitioner put up at Siddharth Heights, No.55, Arcot Road, Saligramam, Chennai-600 093, pending determination of the Revision petition submitted by the petitioners under Section 80-A of the Tamil Nadu Town and Country Planning Act dated 27.04.2017 with the second respondent.

For Petitioners: Mr.R.Mohan
For R-1 : Mr.C.Johnson
For R-2 : Mr.M.K.Subramani, GP

ORDER

[Order of the court was made by R.MAHADEVAN, J.,]

Heard Mr.R.Mohan, learned counsel appearing for the petitioners, Mr.C.Johnson, learned counsel appearing for the first respondent and Mr.M.K.Subramani, learned Government Pleader for the second respondent.

2. Seeking the order against the first respondent as well as his subordinates from initiating any coercive action of locking any sealing and also demolition of the building for violating the building rules, the petitioner is before this Court.

3. Admittedly, the petitioner filed the Special Revision Petition under Section 80-A of the Tamil Nadu Town and Country Planning Act dated 27.04.2017 along with stay application.

4. Since, the petitioner moved the Appellate Authority along with the stay petition, we are inclined to pass an order directing the Appellate Authority-second respondent to pass order in the stay application within a period of two weeks from the date of receipt of a copy of this order and decide the appeal on merits thereafter.

With this direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Rj /KP

To

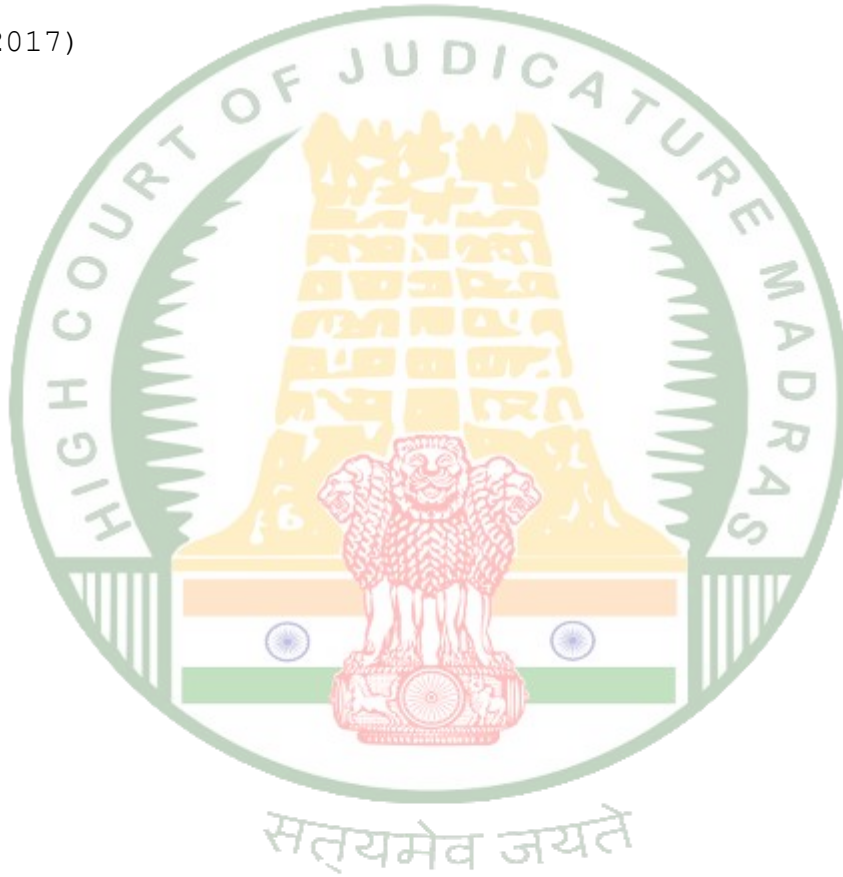
1. The Member Secretary,
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2. The Secretary to Government,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Chennai-9.

+2cc to Mr.R.Mohan, Advocate in Sr.No.37852
+1cc to Mr.C.Johnson, Advocate in Sr.No.37944

W.P.Nos.13124 of 2017 &
WMP Nos.14100 & 14101 of 2017

EV(CO)
NR(31/05/2017)



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