

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.13125/2017

WMP No.14102/2017

D.Mohammed Ismail

..Petitioner

.Vs.

1. The Corporation of Chennai,
Rep.by its Commissioner,
Ripon Blding,
Chennai-600 003.

2. The Executive Engineer,
Zone V, Corporation of Chennai,
No.62, Basin Bridge Road,
Chennai-21.

3. 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 directing the 3rd respondent herein to consider and dispose of the petitioner's Special Revision petition as well as stay petition filed under Section 80 A of the Town and Country Planning Act dated 12.04.2017 with the 3rd respondent and consequently forbear the respondents 1 and 2 from initiating any coercive action of locking and sealing for the building put up at No.28(73), Sembudoss Street, George Town, Chennai-600 001.

For Petitioner	:	Mr.R.Mohan
For R-1 & 2	:	Mr.C.Johnson
For R-3	:	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 petitioner, Mr.C.Johnson, learned counsel appearing for the first and second respondents, and Mr.M.K.Subramani, learned Government Pleader appearing for the third 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 12.04.2017 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-third 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 petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

Rj /KP

To

1. The Corporation of Chennai,
Rep.by its Commissioner,
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Chennai-600 003.
2. The Executive Engineer,
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3. Government of Tamil Nadu,
Rep.by its Secretary to Government,
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+1cc to Mr.R.ArunMozhi, Advocate in Sr.No.37893

W.P.Nos.13125 of 2017 &
WMP No.14102 of 2017

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



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