

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.SUNDAR

W.P. No.14325 of 2017

and

W.M.P.Nos.15553 and 15554 of 2017

N.Ramalingam

...Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
113, Rippon Building,
Chennai-600 003.

2.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation,
Shenoy Nagar,
Chennai-600 030.

3.The Executive Engineer,
Zone-X,
Greater Chennai Corporation,
No.117, NSK Salai,
Kodambakkam,
Chennai-600 034.

4.K.Alfred

5.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-600 009.
(R-5 impleaded as per order
dt.7.6.2017 in W.P.No.14325 of 2017)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the first respondent's locking and sealing notice dated Nil issued under Sections 56 and 57 of the Town and Country Planning Act, 1971, quash the same and

consequently, direct the first respondent to open the house premises bearing New Door No.32, Old Door No.110, East Vanniar Street, K.K.Nagar West, Chennai-600 078 for occupation till the disposal of the appeals pending before the Secretary to Government, Housing and Urban Development Department, dated 21.12.2016.

For Petitioner : Mr.V.Raghavachari
for Ms.A.B.Fathima Sulthana

For Respondents: Mr.V.C.Selvasekaran for RR1 to 3
Mr.R.Vijayakumar, AGP for R-5

ORDER

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

This writ petition is directed against the locking and sealing of the premises bearing New Door No.32, Old Door No.110, East Vanniar Street, K.K.Nagar West, Chennai-600 078 pursuant to the lock and seal notice issued earlier on 12th July, 2016.

2 There are allegations of serious deviations in the front side set back, rear side set back and both side set backs. It is the grievance of the petitioner that two appeals / applications filed by the petitioner, dated 21st December, 2016, one against the locking and sealing and demolition notice dated 12th July, 2016 and the other against de-occupation notice dated 23rd August, 2016, are pending disposal.

3 After hearing the learned counsel appearing on behalf of the petitioner, we dispose of the writ petition by directing the State / 5th respondent to dispose of the appeals / applications of the petitioner dated 21.12.2016 made under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, within a period of one week from the date of receipt of a copy of this order. We further make it clear that the observations made in our order dated 07.06.2017 are, prima facie, observations, which will not influence the decision in the appeals / applications in any manner whatsoever. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CO)

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Sub Asst. Registrar

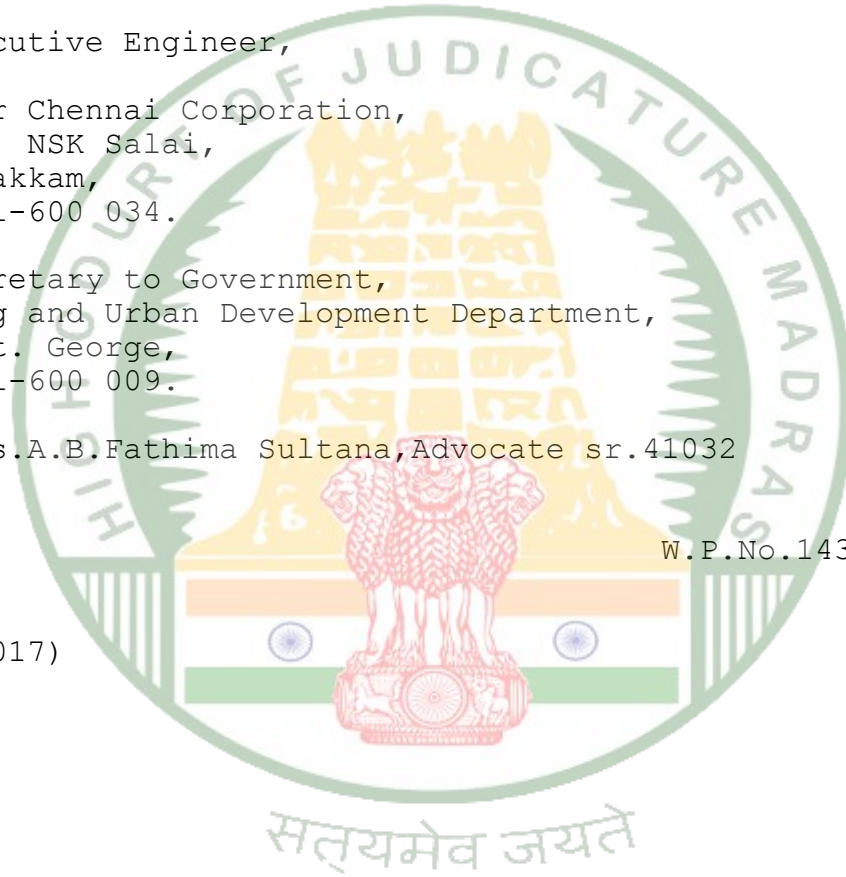
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To

- 1.The Commissioner,
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Chennai-600 003.
 - 2.The Regional Deputy Commissioner (Central),
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Greater Chennai Corporation,
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Kodambakkam,
Chennai-600 034.
 - 4.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.
- +2cc to Ms.A.B.Fathima Sultana,Advocate sr.41032

W.P.No.14325 of 2017

msm(co)
ss(16/6/2017)



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