

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2017

CORAM :

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.44220 of 2016
and WMP.No.38051 of 2016

S.Velammal

... Petitioner

vs.

1. Member Secretary
Chennai Metropolitan Development Authority,
Egmore, Chennai - 8.
2. The Secretary
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 9. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus, to call for the records in Letter No.REG.I/B4/BC1/39647/2003, dated 26.10.2016 on the file of the first respondent and quash the same and consequently to direct the second respondent to dispose of the Appeal filed by the petitioner on 17.05.2006 pending on the file of the second respondent in Letter No.13180/UD-VI/2006-1, dated 26.06.2006.

For petitioner : Mr.A.Immanuel

For respondents : Mr.M.Elumalai, GA for R2

O R D E R

This writ petition is filed seeking only a limited prayer to direct the second respondent to consider the pending appeal filed by the petitioner on 17.05.2006 to be disposed of on merits and in accordance with law.

2. The petitioner has purchased 7.32 cents of land from Nagireddi Charities vide Documents No.1697 and 1699 of 1987 on 27.05.1987 and constructed a house thereon measuring 1780.7 sq.ft in Ground floor and 1042.79 sq.ft in first floor and thereupon obtained the Electricity connection with Subscriber No.287-113-431 along with Telephone connection No.24868930. He has also submitted an application seeking regularisation to the

first respondent on 01.07.2002 enclosing all the documents. But the first respondent has rejected his application seeking regularisation by order, dated 10.04.2006. As against that, he has filed statutory appeal before the second respondent on 17.05.2006. But till now, even after a lapse of 10 years, the appeal has not been disposed of by the second respondent. Therefore, he has been advised to come to this Court.

3. When the matter was taken up on the last occasion, Mr.K.Elumalai, learned Government Advocate took time to get instructions. But even today when the matter is taken up, the learned Government Advocate again sought for time getting instructions. But this Court is not inclined to grant any more time as time was already granted. Therefore, the appeal filed by the petitioner, dated 17.05.2006 before the second respondent, who is the Statutory Authority is directed to dispose of the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The petitioner is also directed to produce this order copy to the second respondent along with the copy of the appeal within one week from the date of receipt of a copy of this order.

With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tsvn
To

1. Member Secretary
Chennai Metropolitan Development Authority,
Egmore, Chennai - 8.

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

+1cc to Mr.A. Immanuel, Advocate, S.R.No.1781

ksj (CO)
md(31/01/2017)

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