

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.05.2018

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN
and
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Writ Petition No.11761 of 2018
and
W.M.P.No.13732 of 2018

M.R.Murali

... Petitioner

vs.

1. State of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.
2. The Assistant Commissioner,
Land and Estate, Vepary,
Chennai - 600 007.
3. The Executive Engineer,
Zone- 05,
Ward 57, Vepary,
Chennai - 600 007

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus to forbearing the respondent 2 and 3 from in any manner initiating any coercive action of locking sealing and demolition of the petitioners premises at Door No.244 and 264 Walltax Road VOC Salai Chennai 600079 till the disposal of the petitioners Revision pension under section 80A of the Town and Country Planning Act dated 12.04.2018 pending on the file of the first responden

For Petitioner : Mr.L.Chandrakumar
for Mr. Thenmozhi Shivaperumal

For Respondents : Mr.R.Udayakumar,
Additional Government Pleader
for R1

ORDER

(Order of the Court was delivered by V.BHARATHIDASAN.J.,)

This writ petition has been filed challenging the order passed by the second respondent dated 19.03.2018 directing the petitioner to vacate the land in Zone 5, Ward 57, Vepery, Chennai - 600 007.

2. According to the petitioner, as against the said order dated 19.03.2018 the petitioner has filed an appeal before the First respondent on 12.04.2018 and now, the appeal is pending. Pending appeal, the authorities are taking steps to vacate the petitioner from the premises in question and hence, the petitioner has come forward with the present petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Considering the submissions made on either side, without going into the merits of the claim made by the petitioner, this Court directs the first respondent to consider the appeal, after giving opportunity to the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

mrp

To

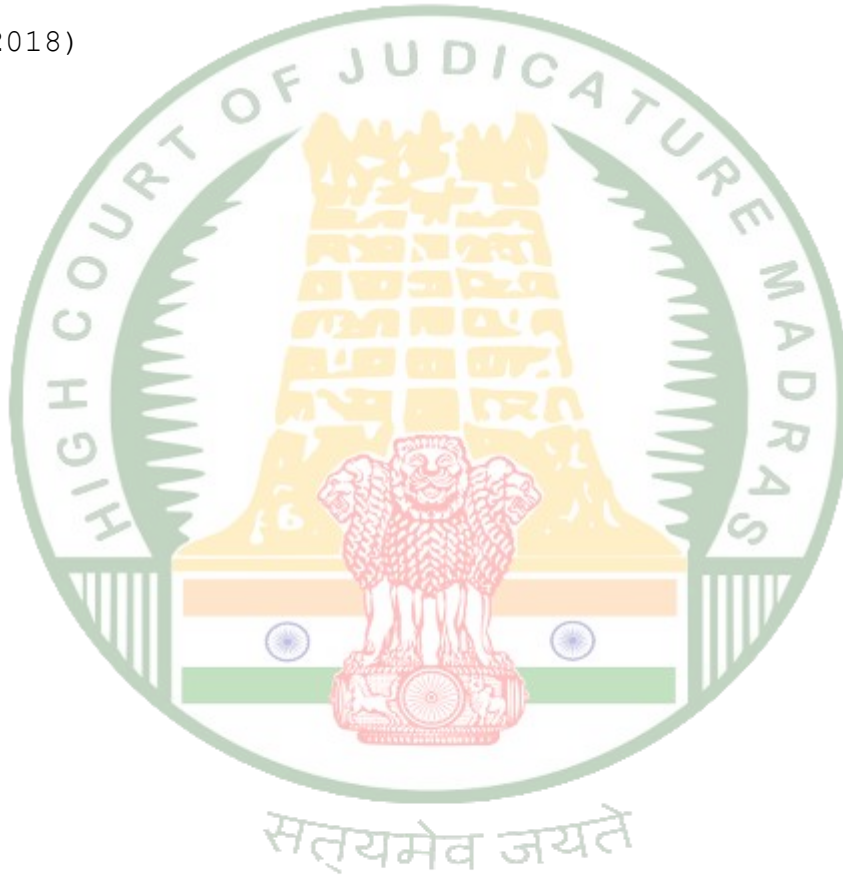
1. The Secretary,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.
2. The Assistant Commissioner,
Land and Estate, Vepary,
Chennai - 600 007.

3. The Executive Engineer,
Zone- 05,
Ward 57, Vepary,
Chennai - 600 007

+1 CC to The Govt. Pleader sr 32980.

W.P.No. 11761 of 2018

SP(16/05/2018)



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