

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 9.5.2018

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN
AND
THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.12195 of 2018

Chandrasekaran.B

Petitioner

Vs

- 1 The Secretary to Government,
Housing and Urban Development Department ,
Fort St. George, Chennai-600 009
 2. The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai.
 - 3 The Executive Engineer
Zone Office VIII,
2nd Cross Street (East) Pulla Avenue,
Shenoy Nagar, Chennai 600 030.
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents herein from initiating any coercive action of the Lock and Seal Notice No.ZONE-VIII/TPENF/381/2018 dated 19.2.2018 and subsequent de-occupation Notice No.ZONE-VIII/TPENF/381/2018 dated 2.4.2018 issued by the third respondent in respect of building at Door No.100, Vellala Street, Purasaiwalkam, Chennai 600 007.

For petitioner : Ms.Meera Gnanasekar

For R1 : Mr.R.Udayakumar

For R2 and R3 : Mr.A.Nagarajan

ORDER

(Order of the court was made by V.PARTHIBAN, J.)

The writ petition has been filed by the owner of the subject property, challenging the impugned notice for de-occupation and lock and seal of the premises, issued under the provisions of the Tamil Nadu Town and Country Planning Act, 1971 with regard to certain deviations in the construction.

2. It is represented by the counsel for the petitioner that against the impugned action issued by the authority, the petitioner had already moved the Government under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971 alongwith stay petition. However, before a decision could be taken in the said appeal, the petitioner has approached this court seeking some kind of interim protection safeguarding his right.

3. Considering the limited scope of the writ petition, there shall be a direction to the Government to dispose of the appeal filed under Section 80(A) of the Act on merits and in accordance with law on or before 31.8.2018. In the meanwhile, there shall be direction to maintain the status quo. It is also made clear that the petitioner shall not make any encumbrance or create third party right over the subject property in question. With the above observation, the writ petition is disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Secretary to Government,
Housing and Urban Development Department ,
Fort St. George, Chennai-600 009
2. The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai.

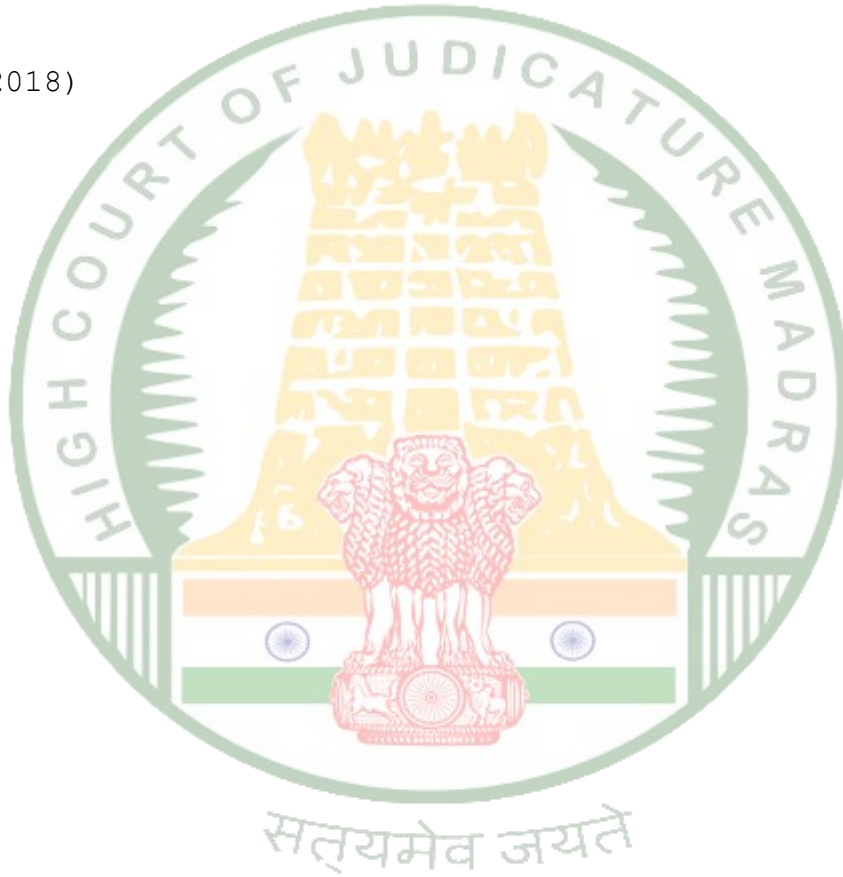
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3 The Executive Engineer
Zone Office VIII,
2nd Cross Street (East) Pulla Avenue,
Shenoy Nagar, Chennai 600 030.

+1cc to Mr.N.NAGARAJAN, Advocate, S.R.No.33339
+1cc to Mr.MEERA GNANASEKAR, Advocate, S.R.No. 33275
+1cc to the Government Pleader, S.R.No.33355

W.P.No.12195 of 2018

AD(CO)
TR(14/05/2018)



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