

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.26569 of 2018 and
WMP Nos.30922 and 30923 of 2018

1.P.Anandhakumar
2.A.Sharmila

...Petitioners

-vs-

1.The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai.

2.The Executive Engineer,
Zone III, Greater Chennai Corporation,
No.1, Thattankulam Road,
Madhavaram, Chennai - 600 060.

3.The Assistant Executive Engineer,
Zone - III, Unit - 7, Greater Chennai Corporation,
No.1, Thattankulam Road,
Madhavaram, Chennai - 600 060.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified mandamus, calling for the records pertaining to the impugned notice No.01/DN/29/2016 dated 24.07.2018 of the 2nd and 3rd respondents and quash the same and consequently forbear the 2nd and 3rd respondents, their men, subordinates and persons claiming through them from interfering with the peaceful possession by way of locking and sealing the petitioners property at No.9, Parthasarathy 4th Cross Street, First Lane, Chinnasekkadu, Manali, Chennai 600 068.

For Petitioners : Mr.T.Arulselvan

For Respondents : Ms.M.Lalitha
Govt.Advocate for R1
Mr.A.Nagarajan for R2 and R3

O R D E R

[Order of the Court was delivered by
K.K.SASIDHARAN, J.]

The petitioner filed a statutory appeal against the De-occupation notice dated 24 July 2018 issued by the Greater Chennai Corporation. The appeal was filed on 28 September 2018. The petitioner in the said appeal prayed for an interim order to maintain status quo during the currency of the appeal. The petitioner anticipating further action at the instance of the Corporation has come up with this writ petition challenging the notice dated 24 July 2018.

2. We have heard the learned counsel for the petitioner. Ms.M.Lalitha, learned Government Advocate takes notice on behalf of the first respondent and Mr.A.Nagaraj, learned Standing Counsel takes notice on behalf of respondents 2 and 3.

3. We direct the first respondent to dispose of the interim application filed by the petitioner along with the appeal under Section 80-A of the Town and Country Planning Act, as expeditiously as possible and in any case within a period of four weeks from the date of receipt of a copy of this order. Status Quo as on today shall be maintained till orders are passed by the first respondent in the application for interim relief.

4. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

svki

To

1.The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai.

2.The Executive Engineer,
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3.The Assistant Executive Engineer,
Zone - III, Unit - 7, Greater Chennai Corporation,
No.1, Thattankulam Road,
Madhavaram, Chennai - 600 060.

+1cc to Mr.T.Arulselvan, Advocate, S.R.No.69939
+1cc to Mr.A.Nagarajan, Advocate, S.R.No.69794
+1cc to the Government Pleader, S.R.No.70112

W.P.No.26569 of 2018

PA(CO)
CS/29/10/2018



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