

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.26500 of 2018 and
WMP No.30821 of 2018

K.Premalatha

...Petitioner

-vs-

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai -9.

2.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai -3.

3.The Executive Engineer,
Zone 12, Greater Chennai Corporation,
Alandur, Chennai -16.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus, forbearing the 3rd respondent from initiating any further proceedings pursuant to the notice of Lock and Seal and Demolition vide Letter No.12/00010/2018, dated 22.05.2018 and consequential proceedings dated 10.09.2018 issued under Section 56(2)(a) and 87 of Town and Country Planning Act pending statutory appeal u/s.80A of Tamil Nadu Town and Country Planning Act, dated 20.06.2018 on the file of the first respondent.

For Petitioner : Mr.S.N.Ravichandran

For Respondents: Ms.Thangavadhana Balakrishnan
Addl.Govt.Pleader for R1
Mr.A.Nagaraj for R2 and R3

O R D E R

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

The petitioner filed an appeal before the Government invoking Section 80A of the Town and Country Planning Act, 1971. The petitioner along with the said appeal also prayed for an interim order to maintain status quo during the

currency of the appeal. Since the Corporation issued a notice proposing to take further action during the pendency of the appeal, the petitioner has come up with this writ petition to stay all further proceedings pursuant to the lock and seal notice dated 22.05.2018.

2. We have heard the learned counsel for the petitioner. We have also heard the learned Additional Government Pleader on behalf of the first respondent and the learned Standing Counsel for the Chennai Corporation.

3. The documents available on record indicates that the petitioner filed an appeal against the lock and seal order passed by the Chennai Corporation. The appeal was received on 20.06.2018. In the appeal memorandum, there is also a prayer for interim relief.

4. We direct the Appellate Authority to dispose of the said petition 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 preserved till orders are passed in the interlocutory application by the Appellate Authority.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
The State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai -9.

2.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai -3.

3.The Executive Engineer,
Zone 12, Greater Chennai Corporation,
Alandur, Chennai -16.

+1cc to Government Pleader SR.NO.69668

+1cc to Mr.S.N.Ravichandran, Advocate SR.NO.69813

pA(CO)

sm:29.10.2018

<https://hcservices.ecourts.gov.in/hcservices/>

W.P.No.26500 of 2018