

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.12.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.32997 of 2018 and
W.M.P.No.38257 of 2018

E.Maheshwaran

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
rep by its Secretary,
Housing and Urban Development Department,
Fort St.George,
Chennai - 600 009.
- 2.The Principal Secretary/Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 8.
- 3.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai - 600 003.
- 4.The Regional Joint Commissioner (South),
Enforcement Cell,
Adayar, Chennai - 600 020.
- 5.The Executive Engineer,
Town Planning Enforcement,
Greater Chennai Corporation,
Adayar, Chennai - 600 020.

6.A.Pojaiah

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus directing the respondents 3 to 5 to permit to pay the necessary charges for the regularization less the charge paid by original owner dated 02.12.2004 and to permit the petitioner to reside in the property at Flat No.S3, 2nd Floor, Guru Complex, 2nd Main Road, Thiruvalluvar Nagar, Thiruvannamipur, Chennai - 600 041.

For Petitioner : Mr.S.Balasubramani

For Respondents : Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c) (R1)
Mr.Karthik Rajan (R2)
Mr.V.C.Selvasekaran (R3 to R5)

O R D E R

(Order of the Court made by M.DURAI SWAMY,J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the respondents 3 to 5 to permit to pay the necessary charges for the regularization less the charge paid by original owner dated 02.12.2004 and to permit the petitioner to reside in the property at Flat No.S3, 2nd Floor, Guru Complex, 2nd Main Road, Thiruvalluvar Nagar, Thiruvannamipur, Chennai - 600 041.

2.When the Writ Petition is taken up for hearing, the learned counsel for the petitioner submitted that his property was already locked and sealed by the Corporation of Chennai and that he has also filed an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act before the Appellate Authority.

3.Since the petitioner has already filed an appeal as against the lock and seal notice, we are not inclined to entertain the Writ Petition.

4.With these observations, the Writ Petition is dismissed. However, it is open to the petitioner to prosecute the appeal filed by him before the Appellate Authority in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

va

To

1.The Secretary, State of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George,
Chennai - 600 009.

2.The Principal Secretary/Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 8.

3.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai - 600 003.

4.The Regional Joint Commissioner (South),
Enforcement Cell,
Adayar, Chennai - 600 020.

5.The Executive Engineer,
Town Planning Enforcement,
Greater Chennai Corporation,
Adayar, Chennai - 600 020.

+1cc to Mr.Karthik Rajan, Advocate, S.R.No.49

W.P. No.32997 of 2018 and
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RSV (CO)

rrs 25/01/2019



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