

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.01.2019

CORAM :
The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.729 of 2019
and W.M.P.No.804 of 2019

T.Rajkumar

.. Petitioner

-vs-

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai-3.

2.The Executive Engineer,
Corporation of Chennai,
Zone VI, No.5, Anderson Road,
Ayanavaram,
Chennai-23.

3.Government of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Dept.,
Fort St. George, Chennai-9.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear respondents 1 and 2 from initiating any coercive action of locking and sealing and demolition action with regard to the building put up at No.34/16, Rajavelu Street, Perambur, Chennai 600 011, pending determination of Section 80-A Revision petition under Town and Country Planning Act, dated 31.10.2018 with the Government, the 3rd respondent herein.

For Petitioner : Mr.R.Mohan

For Respondents : Mr.V.C.Selvasekaran,
Stdg. Counsel for RR 1 and 2

: Mr.V.Jayaprakash Narayanan,
Govt. Pleader (I/c.) for R-3

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The prayer of the petitioner is limited to quashing of the locking and sealing and demolition notice dated 26.10.2018 issued under Section 57 read with Section 85 of the Tamilnadu Town and Country Planning Act, 1971, with regard to the building put up at No.34/16, Rajavelu Street, Perambur, Chennai 600 011.

2.It is an admitted fact that the petitioner has preferred a revision against the said notice and has also preferred a stay application in the said revision. The learned counsel for the petitioner submitted that though the revision and the stay application were filed on 31.10.2018, no orders have yet been passed in the revision or in the stay application, hence, he seeks quashing of the said notice dated 26.10.2018.

3.In view of the fact that a revision has been filed and the fact that a stay application has also been filed in the revision, we are of the opinion that it would suffice if it is directed that the stay application is disposed of within a period of two weeks from the date of receipt of this order.

We are of the view that at this stage no further orders are necessary. Hence, the writ petition is disposed of with the above direction. No costs. Consequently, W.M.P.No.804 of 2019 is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

sra

To

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai-3.

2.The Executive Engineer,
Corporation of Chennai,
Zone VI, No.5,
Anderson Road,
Ayanavaram,
Chennai-23.

3.The Secretary to Govt. of Tamil Nadu,
Housing and Urban Development Dept.,
Fort St. George,
Chennai-9.

+1cc to Mr.R.Mohan, Advocate, S.R.No.2602
+1cc to the Government Pleader, S.R.No.3247

W.P.No.729 of 2019

rrs 31/01/2019



WEB COPY