

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.01.2019

CORAM :

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

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.1901 of 2019

and W.M.P.Nos.2110 and 2111 of 2019

1.T.R.A.Sankaranarayanan

2.T.R.A.Veeramani

.. Petitioners

-vs-

1.The Secretary to Government,
Housing and Urban Development
Dept., Fort St. George, Secretariat,
Chennai-9.

2.The Administrative Officer/
Commissioner, Tiruchengode
Municipality, Tiruchengode-637211,
Namakkal District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2nd respondent to remove the lock and seal affixed on 10.01.2019 pending disposal of the Revision Petition dated 18.01.2019 filed before the 1st respondent against the order dated 08.01.2019 made in Na.Ka.No.10948/2013/F1 passed by the 2nd respondent.

For Petitioners : Mr.Vinothraja R.

For Respondent : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) for R-1
* * * * *

O R D E R

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

Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) takes notice on behalf of respondent no.1.

2.The petitioners are seeking directions to the second respondent, i.e., The Administrative Officer/Commissioner, Tiruchengode Municipality, Tiruchengode, Namakkal District, to remove the lock and seal notice dated 08.01.2019, which was affixed on the premises of the petitioners on 10.01.2019.

3.It is admitted that against the lock and seal notice dated 08.01.2019, which was affixed on the premises on 10.01.2019, the petitioners have preferred a revision petition on 18.01.2019, to respondent no.1. The petitioners have also preferred an application for stay in the said revision petition. The case of the petitioners is that as the premises have been locked and sealed, the petitioners are suffering hardship, hence, the revision petition and the stay application be disposed of at the earliest.

4.The learned counsel for the petitioners also prayed that the lock and seal affixed on the premises be removed for a short period to enable the petitioners to take out their belongings from the said premises.

5.As it is an admitted fact that a revision petition has been preferred to respondent no.1, as also a stay application has been preferred in the said revision petition, in our opinion, it would suffice if we direct respondent no.1 to dispose of the stay application within ten days of receipt of a copy of this order and the revision petition to be disposed of within twelve weeks of the stay application being disposed of.

6.As far as the present petition is concerned, there is no prayer in relation to the lock and seal being removed for a temporary period to enable the petitioners to remove their belongings from the said premises. Hence, we are of the opinion that it would not be proper to grant such a prayer on oral request. It would be open to the petitioners to prefer an application for removal of lock and seal of the premises before respondent no.1 for a temporary period to enable the petitioners to remove their belongings which are kept at the premises. If such an application is preferred, the said authority to consider and decide the same within one week of receipt of the same.

The writ petition is disposed of with the above direction and observations. No costs. Consequently, W.M.P.Nos.2110 and 2111 of 2019 are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To

1.The Secretary to Government,
Housing and Urban Development
Dept., Fort St. George, Secretariat,
Chennai-9.

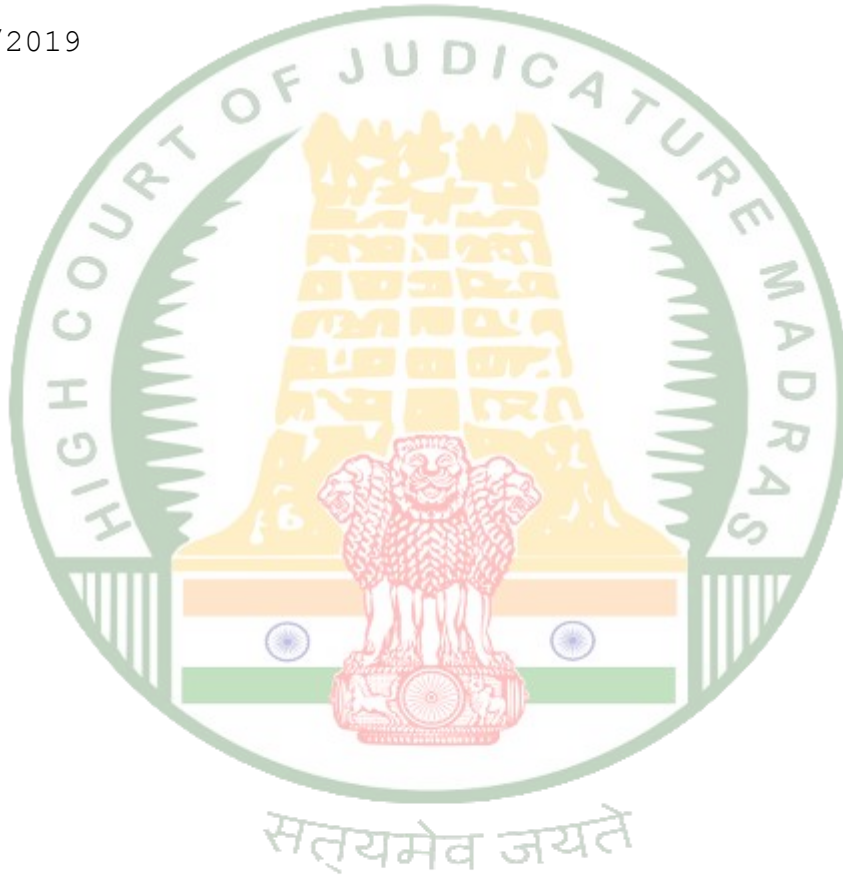
2.The Administrative Officer/
Commissioner, Tiruchengode
Municipality, Tiruchengode-637211,
Namakkal District.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.6737
+1cc to the Government Pleader, S.R.No.6544.

W.P.No.1901 of 2019

GP(CO)

rrs 18/02/2019



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