

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11.04.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. Nos.10897 and 10904 of 2019
and W.M.P.Nos.11337 and 11345 of 2019

R.Selvaganesh .. Petitioner in WP.10897/19

K.S.Balaji .. Petitioner in WP.10904/19

-vs-

1.The Secretary to Government,
Housing and Urban Development Dept.,
St. George Fort, Secretariat, Chennai 600 009.

2.The Executive Engineer,
Zone-VII, Greater Chennai Corporation,
Thiruvallur High Road, Opp. Dunlop,
Chennai 600 053.

3.The Assistant Executive Engineer,
Zone-VII, Unit-19, Greater Chennai
Corporation, Thiruvallur High Road,
Opp. Dunlop, Chennai 600 053.

4.The Junior Engineer,
Zone-VII, Unit-19, Division-84,
Greater Chennai Corporation,
Thiruvallur High Road, Opp. Dunlop,
Chennai 600 053.

.. Respondents in both WPs.

Common Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the 2nd respondent, their men, agents, subordinates, or any one acting under him from locking and sealing the building at New No.36A, Old No.1A, Bramin Street, Bharathi Nagar, Korattur, Chennai 600 080, pending consideration of the Revision before the first respondent filed u/s.80-A of the Town and Country Planning Act, 1971.

For Petitioner in both WPs: Mr.V.Vasanth Kumar

For Respondents : Mr.V.Jayaprakash Narayanan
in both WPs Govt. Pleader (i/c.) for R-1

: Mr.V.C.Selvasekaran
Stdg. Counsel for RR 2 to 4

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O R D E R

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

Heard the learned counsel for the petitioner, Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.), appearing for respondent no.1 and Mr.V.C.Selvasekaran, learned Standing Counsel appearing for respondent nos.2 to 4.

2.The case of the petitioners is that they received de-occupation notices dated 22.03.2019. The said notices are under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971. The said notices pertain to deviation in construction at Old D.No.36A/1A, Bramin Street, Bharathi Nagar, Korattur, Chennai 600080. Being aggrieved by the said notices, the petitioners have preferred appeal/revision on 01.04.2019 under Section 80-A of the said Act. He has also preferred applications for stay on the very same day, i.e., 01.04.2019. The learned counsel for the petitioner states that till today, no decision has been taken on the stay applications preferred by them. Hence, the petitioners apprehend that action will be taken against them and they will be dispossessed.

3.In view of the above facts, we are of the opinion that it would suffice if we direct the concerned authority to decide the stay applications preferred by the petitioners within a period of two weeks from the date of receipt of a copy of this order.

4.The learned Government Pleader (i/c.) as well as the learned counsel for the petitioners undertake to communicate this order to respondent no.1, who is the concerned authority.

The writ petitions are disposed of with the above observation. No costs. Consequently, W.M.P.Nos.11337 and 11345 of 2019 are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Secretary to Government,
Housing and Urban Development Dept.,
St. George Fort,
Secretariat, Chennai 600 009.

2.The Executive Engineer,
Zone-VII, Greater Chennai Corporation,
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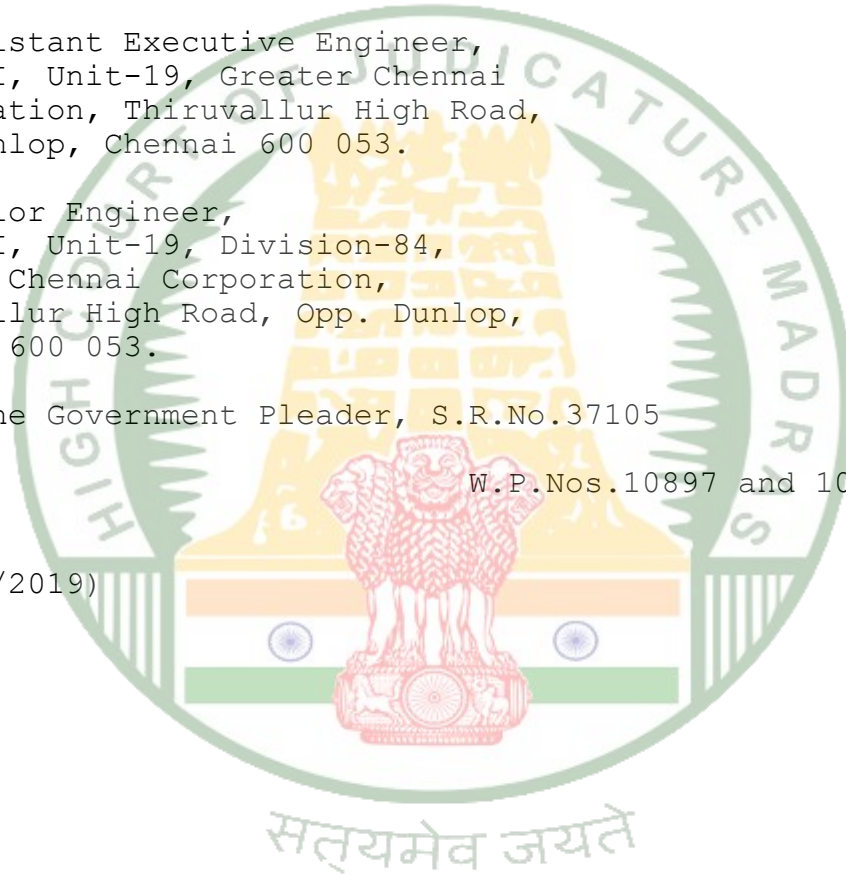
4.The Junior Engineer,
Zone-VII, Unit-19, Division-84,
Greater Chennai Corporation,
Thiruvallur High Road, Opp. Dunlop,
Chennai 600 053.

+1cc to the Government Pleader, S.R.No.37105

W.P.Nos.10897 and 10904 of 2019

AIC(CO)

RRS (08/05/2019)



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