

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.12453 of 2019 and

W.M.P.Nos. 12730 & 12779 of 2019

1 T. Ashok Kumar
2 P.R.Nagarajan
3 J.Rajadurai
4 S.Karthikeyan

.. Petitioners

v.

1 Government of Tamil Nadu,
Rep. by its Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat, Chennai- 600 099.
2 The Principal Secretary/Member Secretary,
Chennai Metropolitan Development Authority,
CMDA Office,
Thalamuthu Natarajan Buildings,
Egmore, Chennai- 600 008
3 The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records culminated in the proceedings of the impugned order in Letter No. 4287/UD-VII (1) 2019-1, dated 18.03.2019 on the file of the Additional Secretary (Technical), Housing and Urban Development Department, the 1st Respondent and quash the same and forbear the respondents Nos. 2 and 3 from initiating or taking any action or proceedings in pursuance of the above said impugned order.

For Petitioner : Dr. S.R. Sundaram

For Respondents: Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c) - for R1
Mr.P.S. Ganesh - for R2
Mr.V.C.Selvasekaran - for R3

O R D E R
(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus to call for the records culminated in the proceedings of the impugned order dated 18.03.2019 on the file of the 1st respondent, to quash the same and forbear the respondents Nos. 2 and 3 from initiating or taking any action or proceedings in pursuance of the above said impugned order.

2. Challenging the Locking & Sealing and Demolition Notice dated 20.02.2017, the petitioner preferred an appeal under Section 80-A of the Town and Country Planning Act, 1971 before the 1st respondent.

3. The 1st respondent by order dated 18.03.2019, disposed of the appeal by granting a month's time to the petitioner to get approval of the plan or get regularization by the 2nd respondent. Challenging this order, the petitioner has filed the Writ Petition.

4. When the Writ Petition was taken up for hearing, Dr. S.R.Sundaram, learned counsel appearing for the petitioner submitted that the petitioner may be granted four months' time to get approval of the plan or get regularization instead of one month time granted by the 1st respondent.

5. The learned counsel appearing for the respondents have no objection for granting four months time to the petitioner.

5. In view of the submissions made by the learned counsel on either side, we grant four months' time to the petitioner to get approval of the plan or get regularization from the 2nd respondent. Since we are only extending the time granted by the 1st respondent, we are not giving any finding with regard to the observations made by the 1st respondent.

With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

Rj

To

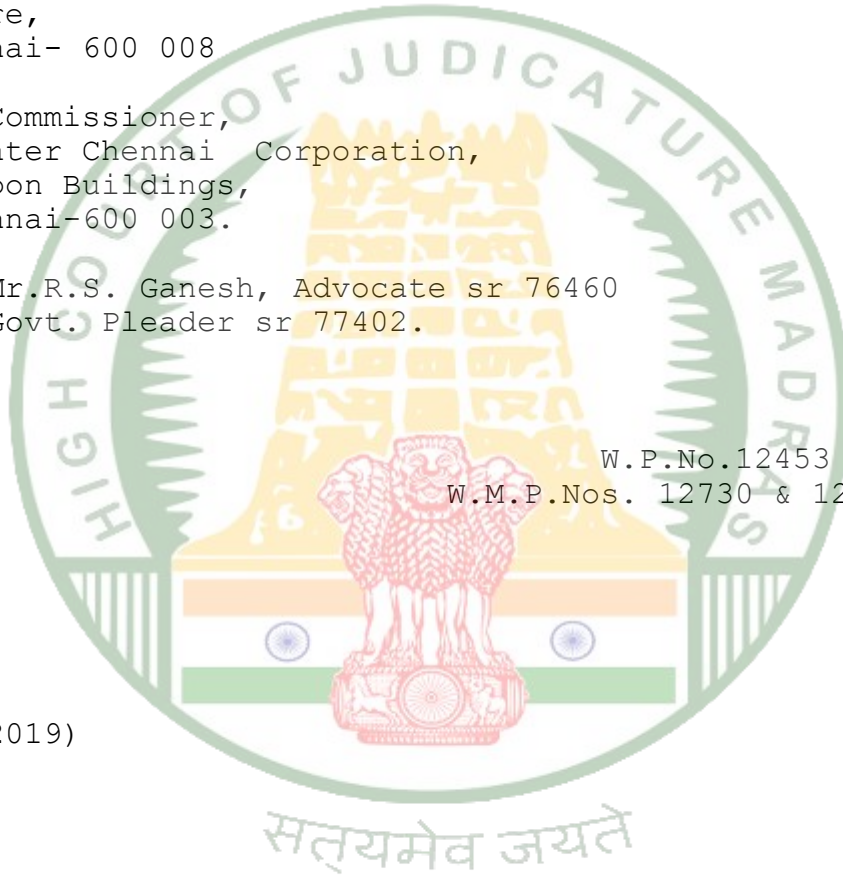
- 1 The Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat,
Chennai- 600 099.
- 2 The Principal Secretary/Member Secretary,
Chennai Metropolitan Development Authority,
CMDA Office,
Thalamuthu Natarajan Buildings,
Egmore,
Chennai- 600 008
- 3 The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.

+1 CC to Mr.R.S. Ganesh, Advocate sr 76460

+1 CC to Govt. Pleader sr 77402.

W.P.No.12453 of 2019 and
W.M.P.Nos. 12730 & 12779 of 2019

MR (CO)
SP (03/10/2019)



WEB COPY