

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.18727 of 2019

C.Prabhu

.. Petitioner

-vs-

- 1.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
- 2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai - 600 003.
- 3.The Executive Engineer,
Zone - 14,
No.6/64, Puzhuthivakkam Main Road,
Puzhuthivakkam,
Chennai - 600 091.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondent from acting or demolishing or locking and sealing of the premises of the petitioner situated in Plot No.7B in Pallikaranai Village, Tambaram Taluk, Kancheepuram District comprised in S.No.668 pending disposal of the appeal dated 06.06.2019.

For Petitioner

: Mr.V.T.Balaji

For Respondent

: Mr.S.N.Parthasarathi
Government Advocate
for respondent No.1
Dr.C.Ravichandran
for respondent No.2

ORDER

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

Heard Mr.V.T.Balaji, learned counsel for the petitioner; Mr.S.N.Parthasarathi, learned Government Advocate for respondent No.1 and Dr.C.Ravichandran, learned counsel for respondent No.2.

2. The case of the petitioner is that he had received locking and sealing and demolition notice dated 24.05.2019 under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 in relation to the building at Zone No.14, Unit-42, Division 188, Plot No.7B, 200 Feet Radial Road situated in Pallikaranai Village, Tambaram Taluk, Kancheepuram District. Being aggrieved by the said notice issued under Section 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, the petitioner has preferred an appeal on 06.06.2019 before the first respondent and he had also preferred an application for stay in the said appeal on the same date, i.e., 06.06.2019.

3. The grievance of the petitioner is that though the appeal and the stay application were preferred on 06.06.2019, till today, neither the appeal nor the stay application has been decided.

4. In view of the limited prayer made by the petitioner, without expressing any opinion on the merits of the case and looking to the fact that the appeal is pending since 06.06.2019, we direct the first respondent to dispose of the stay application within ten days from the date of receipt of a copy of this order and the appeal to be disposed of as expeditiously as possible in accordance with law.

5. The writ petition is disposed of with the above observation. No costs.

Sd/-

Deputy Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

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To

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

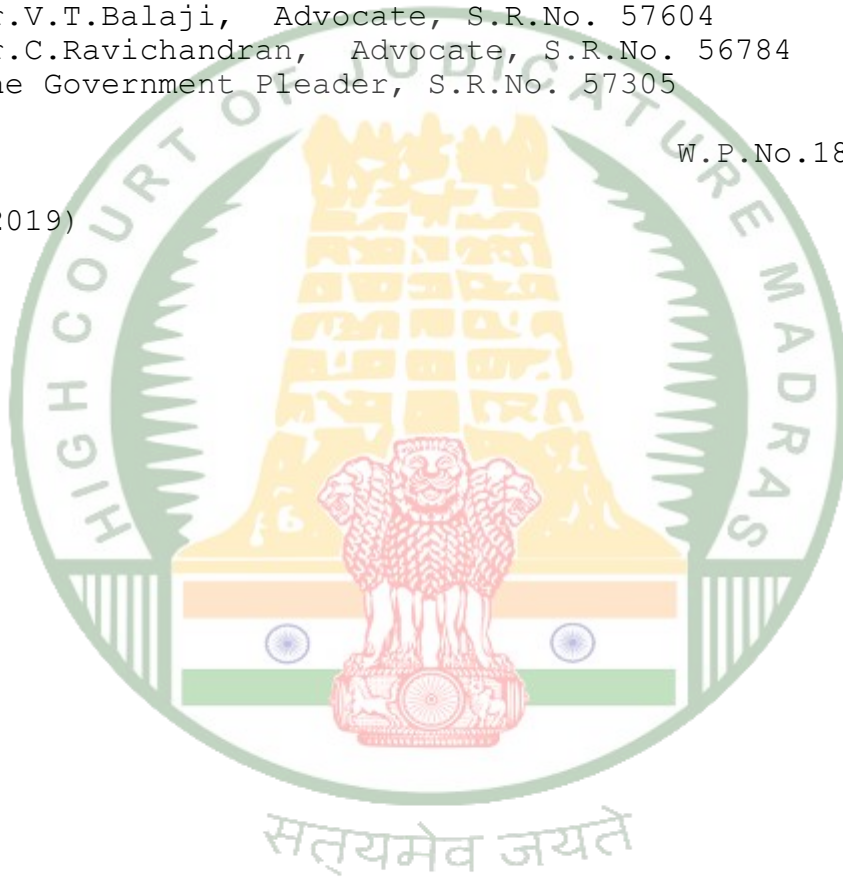
2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai - 600 003.

3.The Executive Engineer,
Zone - 14,
No.6/64, Puzhuthivakkam Main Road,
Puzhuthivakkam,
Chennai - 600 091.

+1cc to Mr.V.T.Balaji, Advocate, S.R.No. 57604
+1cc to Dr.C.Ravichandran, Advocate, S.R.No. 56784
+1cc to the Government Pleader, S.R.No. 57305

W.P.No.18727 of 2019

RR(CO)
GN(24/07/2019)



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