



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.18666 of 2019
and W.M.P.No.18008 of 2019

K.Devendiran

.. Petitioner

-vs-

1.The Secretary,
Housing and Urban Development
Dept., Govt. of Tamilnadu,
Secretariat, Chennai 600 009.

2.The Executive Engineer,
Greater Chennai Corporation,
Zonal Office - 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 to forbear the 2nd respondent from giving effect to the locking, sealing and demolition notice dated 22.11.2018 in notice No.14/00056/2018 issued by the 2nd respondent pertaining to the petitioner's property Survey No.70, Pallikaranai Village, Greater Chennai Corporation, bearing No.4, Sri Nageshwari Amman Nagar, 3rd Street, Pallikaranai, Chennai 600 100, till the final orders are passed by the 1st respondent based on the petitioner's appeal filed on 17.12.2018.

For Petitioner : Mr.D.Vijayan

For Respondents : Mr.S.N.Parthasarathy
Govt. Advocate, for R-1

: Dr.C.Ravichandran
Stdg. Counsel for R-2

* * * * *



O R D E R

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

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Heard the learned counsel for the petitioner, Mr.S.N.Parthasarathy, learned Government Advocate, appearing for respondent no.1 and Dr.C.Ravichandran, learned Standing Counsel appearing for respondent no.2.

2.The case of the petitioner is that he received a locking and sealing and demolition notice dated 22.11.2018 in relation to his property which is situated at Survey No.70, Pallikkaranai Village, Greater Chennai Corporation, bearing No.4, Sri Nageshwari Amman Nagar, 3rd Street, Pallikkaranai, Chennai 600 100. Being aggrieved by the said notice, the petitioner preferred an appeal to respondent no.1 on 17.12.2018. The petitioner has also preferred an application for stay in the said appeal. By order dated 11.01.2019, the petitioner was granted stay for a period of three months. Thereafter, the said period was extended till 30.06.2019.

3.The further case of the petitioner is that as the stay was to expire on 30.06.2019, he preferred an application on 21.06.2019 for extension of stay. However, till today, the said application for stay has not been decided, hence, the petitioner apprehends that action may be taken against his property.

4.In view of the fact that the stay application is pending, we direct the respondent no.1 to consider the stay application within a period of one week from the date of receipt of a copy of this order and the appeal to be disposed of as expeditiously as possible thereafter.

With the above observation, the writ petition is disposed of. No costs. Consequently, W.M.P.No.18008 of 2019 is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

(sra)



To

1.The Secretary,
Housing and Urban Development
Dept., Govt. of Tamilnadu,
Secretariat, Chennai 600 009.

2.The Executive Engineer,
Greater Chennai Corporation,
Zonal Office - 14, No.6/64,
Puzhuthivakkam Main Road,
Puzhuthivakkam, Chennai-600 091.

+1cc to Dr.C.Ravichandran, Advocate sr.55359
+2cc to Mr.D.Vijayan, Advocate sr.55225
+1cc to Government Pleader sr.55957

W.P.No.18666 of 2019

vsnII(co)
nr 20/07/2019