

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.21801 of 2019

S.Senthil Nathan

.. Petitioner

-vs-

1. The Secretary to Government of Tamilnadu,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
2. The Executive Engineer,
Zone-14,
Greater Chennai Corporation,
No.6/64, Puzthivakkam Main Road,
Puzthivakkam, Chennai - 600 091.
3. G.Devasirvatham
4. Grace Gnanambal
5. M/s.Square Developers,
rep. by its Partner A.Godwin Wilson,
having office at
Plot No.59/B 1st Main Road,
Sadasiyam Nagar, Madipakkam,
Chennai-600 091.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the second respondent from operating the proposed proceedings of lock and seal over the petitioner's premises situated at Flat No.F3 Plot No.29-B, Door No.15, Sivasubramaniam Street, Ramalingam Nagar, Madipakkam, Chennai-600 091 till the disposal of the appeal dated 03.07.2019.

For Petitioner : Mr.G.Krishnamurthy

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)
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.G.Krishnamurthy, learned counsel for the petitioner; Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c) for respondent No.1 and Dr.C.Ravichandran, learned counsel for respondent No.2.

2. The case of the petitioner is that he has been served with de-occupation notice dated 17.06.2019 in relation to the building at Zone-14, Unit-42, Division-169, Flat No.F3, Plot No.29B, Door No.15, Sivasubramaniyan Street, Ramalingam Nagar, Madipakkam, Chennai-600 091. Further case of the petitioner is that against the said notice, the petitioner has preferred an appeal under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 along with a stay application on 03.07.2019 before the first respondent.

3. The learned counsel for the petitioner submitted that though the appeal and the stay application have been preferred on 03.07.2019, yet, no orders have been passed thereon and the petitioner apprehends that if no order is passed in the stay application, action may be taken by the second respondent against the property which is occupied by him.

4. In view of the fact that the petitioner has already preferred an appeal along with a stay application before the first respondent, the first respondent is directed to dispose of the stay application within a period of ten days from the date of receipt of a copy of this order and thereafter, the appeal be disposed of as expeditiously as possible.

5. The writ petition is disposed of with the above observation. No costs. Consequently, W.M.P.No.21008 of 2019 is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Executive Engineer,
Zone-14,
Greater Chennai Corporation,
No.6/64, Puzthivakkam Main Road,
Puzthivakkam, Chennai - 600 091.

+1 cc to M/s.Dr.C.Ravichandran, Advocate, S.R.No.63769

+1 cc to M/s.G.Krishnamurthy, Advocate, S.R.No.63720

+1 cc to the Government Pleader, S.R.No.64262

W.P.No.21801 of 2019

VSN-II (CO)
SSM(21/08/2019)

सत्यमेव जयते

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