

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.23243 of 2019
and W.M.P.Nos.22934 and 22936 of 2019

1.J.Ponniammal
2.J.Balachander
3.J.Janardhanam

... Petitioners

-vs-

1.The Secretary,
Govt. of Tamil Nadu, Housing and
Urban Development Dept., Secretariat,
Fort St. George, Chennai 600 009.
2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai.
3.The Executive Engineer RDC (C),
Corporation of Chennai, Regional
Office Central, 2nd Cross Street (East),
Pulla Avenue, Shenoy Avenue,
Chennai 600 030.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to dispose of the stay petition filed on 03.03.2016 under Section 80-A(3) of the Tamil Nadu Town and Country Planning Act, in respect of the property at Door No.175/61, Mettu Street, Aynavaram, Chennai 600 023, along with the appeal filed under Section 80-A of the Tamil Nadu Town and Country Planning Act, against the order of the 2nd respondent dated 30.07.2012, in No.DN/98/174/2012.

For Petitioner : Mr.N.C.Ashok Kumar
For Respondents : Mr.S.Kamalesh Kannan
Govt. Advocate for R-1
: Dr.C.Ravichandran
Stdg. Counsel for RR 2 and 3

* * * * *

O R D E R

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

Heard Mr.N.C.Ashok Kumar, learned counsel for the petitioner, Mr.S.Kamalesh Kannan, learned Government Advocate, for respondent no.1 and Dr.C.Ravichandran, learned Standing Counsel for respondent nos.2 and 3.

2.The learned counsel for the petitioner states that he is restricting his prayer to the effect that the appeal filed by the petitioner before respondent no.1 be disposed of expeditiously.

3.The record shows that earlier, the petitioner has preferred appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971. The said appeal was disposed of by order dated 22.04.2015. Thereafter, the petitioner preferred the second appeal for re-hearing the appeal filed by him earlier.

4.However, the learned counsel for the petitioner states that the second appeal filed by him be treated as a review petition as per Section 81 of the said Act and the authorities be directed to dispose of the same expeditiously.

5.In view of the limited prayer made by the learned counsel for the petitioner, without going into the merits of the matter, we direct the respondent no.1 to treat the present appeal filed by the petitioner as review petition under Section 81 of the Act and dispose of the same as expeditiously as possible.

With the above observation, the writ petition is disposed of. No costs. Consequently, W.M.P.Nos.22934 and 22936 of 2019 are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

sra

- 1.The Secretary,
Govt. of Tamil Nadu, Housing and
Urban Development Dept., Secretariat,
Fort St. George, Chennai 600 009.
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Ripon Buildings, Chennai.
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Pulla Avenue, Shenoy Avenue,
Chennai 600 030.

+lcc to Mr.C.Jagadish Advocate, S.R.No.67867
+lcc to Mr.Dr.C.Ravichandran Advocate, S.R.No.67452
+lcc to the Government Pleader, S.R.No.68051

PA(CO)
CB(06/09/2019)

सत्यमेव जयते

W.P.No.23243 of 2019

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