

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE  
AND  
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.22239 of 2019

1 Mahaveer Jain  
2 Dinesh Jain .. Petitioners

Vs

1 The Government of Tamilnadu  
Rep. by its Secretary to Government  
Housing and Urban Development Department  
Secretariat, Chennai - 600 009.

2 The Greater Chennai Corporation  
Rep. by its Commissioner  
Ripon Building  
Chennai - 600 003.

3 The Executive Engineer  
Greater Chennai Corporation  
Zone-V, Division - 057  
No.61, Basin Bridge Road  
Chennai - 600 021.

4 Sri Jain Swetamber Terapanth Trust Board  
Rep. by its Managing Trustee  
Gokul Chand Bhandari  
No.34 Mangappan Street  
Sowcarpet, Chennai - 600 079. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to consider and pass order on the statutory appeal dated 16.07.2019 filed by the petitioners herein for the purpose of de-sealing and removal of lock and seal affixed on 06.07.2019 in the petitioners shop portions in the ground floor at No.34, Mangappan Street, Sowcarpet, Chennai - 600 079, expeditiously and in accordance with law, more particularly in the light of the orders of the Supreme Court in SLP Nos.5209/2018 and 5217/2018, dated 10.05.2019.

For Petitioners : Mr.D.S.Rajasekaran

For Respondents : Mr.S.Kamalesh Kannan  
Government Advocate  
for 1<sup>st</sup> respondent

Mr.V.C.Selvasekaran  
for respondents 2 and 3

ORDER

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

Heard Mr.D.S.Rajasekaran, learned counsel for the petitioners; Mr.S.Kamalesh Kannan, learned Government Advocate for the first respondent and Mr.V.C.Selvasekaran, learned counsel for respondents 2 and 3.

2. The case of the petitioners is that they were occupying shop portion in the ground floor at No.34, Mangappan Street, Sowcarpet, Chennai - 600 079. The said premises came to be locked and sealed on 6.7.2019. Being aggrieved by the said fact, the petitioners preferred an appeal under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 on 16.7.2019. The prayer of the petitioners is that the first respondent be directed to dispose of the appeal preferred by them as expeditiously as possible.

3. In view of the fact that the petitioners have preferred appeal on 16.7.2019, we direct the first respondent to dispose of the said appeal within a period of ten weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.21521 of 2019 is closed.

Sd/-  
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

sasi  
To:

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

2 The Commissioner  
The Greater Chennai Corporation  
Ripon Building  
Chennai - 600 003.

3 The Executive Engineer  
Greater Chennai Corporation  
Zone-V, Division - 057  
No.61, Basin Bridge Road  
Chennai - 600 021.

+1 cc to Mr.D.S.Rajasekaran, Advocate, S.R.No.65300

+1 cc to the Government Pleader, S.R.No.65899

W.P.No.22239 of 2019

NRJK(CO)  
SSM(26/08/2019)



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