

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.08.2019

CORAM :

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

W.P.NO.25483 OF 2019
AND W.M.P.NOS.25007 AND 25009 OF 2019

1.A.Muthumalai
2.M.Mahalakshmi

.. Petitioners

-vs-

1. Government of Tamilnadu,
Rep. by its Secretary to Government,
Housing & Urban Development Dept.,
Secretariat, Chennai 600 009.
2. Chennai Metropolitan Development
Authority, Rep. by its Member Secretary,
No.1, Gandhi Irwin Road, Egmore,
Chennai 600 008.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to consider and pass order on the statutory appeal dated 05.08.2019 under Section 80(A) and 80(A)(3) of the Town and Country Planning Act, 1971, for de-sealing and removal of Lock & Seal affixed on 27.06.2019 to the building at Door No.1/29, East Coast Road, Kottivakkam, Chennai 600 041, expeditiously and in accordance with law and more particularly in the light of the 1st respondent/ government's order in Letter No.3841/UD-VI(2)/2014-6 dated 11.04.2016.

For Petitioners : Mr.D.S.Rajasekaran

For Respondents : Mr.S.Kamalesh Kannan
Govt. Advocate for R-1

: Mrs.P.Veena Suresh
Stdg. Counsel for R-2

O R D E R

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

Heard Mr.D.S.Rajasekaran, learned counsel for the petitioner, Mr.S.Kamalesh Kannan, learned Government Advocate, for respondent no.1 and Mrs.P.Veena Suresh, learned Standing Counsel for respondent no.2.

2.The case of the petitioners is that their property situated at Door No.1/29, East Coast Road, Kottivakkam, Chennai 600 041, was locked and sealed on 27.06.2019 by the officials of the second respondent. Being aggrieved by the said fact, the petitioners preferred an appeal dated 05.08.2019 under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971. In the said appeal, the petitioners also preferred an application under Section 80-A (3) of the said Act seeking interim direction to forthwith de-seal and remove the lock and seal affixed on the petitioners' premises.

3.The grievance of the petitioners is that though the appeal as well as the application seeking interim direction were filed on 05.08.2019, till today, no orders have been passed thereon, hence, the petitioners prayed that their appeal and the application seeking interim direction be disposed of at the earliest.

4.In view of the limited prayer sought for by the petitioners, we direct the first respondent to dispose of the application seeking interim direction preferred by the petitioners on 05.08.2019 within a period of ten days from the date of receipt of a copy of this order and the appeal be disposed of as expeditiously as possible thereafter.

The writ petition is, accordingly, disposed of. No costs. Consequently, W.M.P.Nos.25007 and 25009 of 2019 are closed.

सत्यमेव जयते Sd/-

Assistant Registrar

//True Copy//

WEB COPY Sub Assistant Registrar

sra

To

1. The Secretary to Government of Tamilnadu,
Housing & Urban Development Dept.,
Secretariat, Chennai 600 009.

2. The Member Secretary,
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

+1cc to Mr.D.S.Rajasekaran, Advocate, S.R.No.73707
+1cc to Mrs.P.Veena Suresh, Advocate, S.R.No.75207
+1cc to the Government Pleader, S.R.No.75533

W.P.No.25483 of 2019

SJ(CO)
CS/24/09/2019



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