

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2019

CORAM :

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.26982 of 2019

J.Rajasekar Babu

.. Petitioner

-vs-

1.The Secretary,
Housing and Urban Development,
Fort St. George,
Chennai-600 009.

2.E.Palani

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

4.The Commissioner,
Chennai Corporation,
Rippon Building,
Chennai-600 003.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to dispose the appeal filed by the petitioner on 26.07.2019 relation to the property bearing Door No.55, Ekambaram Street, Korukkupettai, Chennai-21.

For Petitioner : Mr.J.D.Srikanth Varma
for M/s.P.Subba Reddy

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader
for respondent No.1

Mrs.P.Veenasuresh
for respondent No.3

Dr.C.Ravichandran
for respondent No.4

ORDER

(Order of the Court was made by DR.VINEET KOTHARI,J.))

The learned counsel for the petitioner submits that the only prayer made in this writ petition is that the first respondent Appellate Authority viz., the Secretary, Housing and Urban Development, Fort St. George, Chennai-600 009 should be directed to decide the pending appeal regarding locking and sealing notice dated 16.07.2019 issued by respondent No.4, the Commissioner, Chennai Corporation. The appeal is said to have been filed by the petitioner in the month of July, 2019.

2. The learned Government Pleader appearing for the first respondent submitted that the Tamil Nadu Town and Country Planning Act, 1971 provides for ninety days time for disposal of the appeal and therefore, a period of at least twelve weeks may be granted to dispose of the pending appeal of the present petitioner.

3. Having regard to the submissions made by the learned counsel appearing on either side, we are of the opinion that the Appellate Authority viz., the first respondent, should decide the appeal of the petitioner expeditiously, preferably within a period of eight weeks from today.

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4. With these observations, the writ petition is disposed of. The petitioner may appear before the first respondent in the first instance on 18.09.2019 for consideration of interim relief in the pending appeal. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

- 1.The Secretary,
Housing and Urban Development,
Fort St. George,
Chennai-600 009.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 4.The Commissioner,
Chennai Corporation,
Rippon Building,
Chennai-600 003.

+1 cc to M/s.P.Subha Reddy Advocate sr78031
+1 cc to M/s.Dr.C.Ravichandran Advocate sr78057
+1 cc to the Government Pleader sr78419

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