

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.26338 of 2019
and W.M.P.No.25691 of 2019

Gerold Rajkumar

.. Petitioner

-vs-

- 1.State of Tamilnadu,
Rep. by its Secretary, Housing and
Urban Development Dept.,
Appellate Authority
Fort St. George, Secretariat,
Chennai 600 009.
- 2.The Member Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Building, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- 3.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 600 003.
- 4.The Commissioner,
Thiruverkadu Municipality,
Thiruverkadu, Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the first respondent to consider the statutory appeal dated 19.08.2019 made by the petitioner and dispose of the same in accordance with law within a time frame, after hearing the petitioner and until then not to take coercive action.

For Petitioner	:	Mr.C.K.Chandrasekhar
For Respondents	:	Mr.V.Jayaprakash Narayanan
	:	Govt. Pleader (i/c.) for RR 1 & 4
	:	Mrs.P.Veena Suresh
	:	Stdg. Counsel for R-2
	:	Mr.V.C.Selvasekaran
	:	Stdg. Counsel for R-3

O R D E R

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

Heard Mr.C.K.Chandrasekhar, learned counsel for the petitioner, Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.), for respondent nos.1 and 4, Mrs.P.Veena Suresh, learned Standing Counsel, for respondent no.2 and Mr.V.C.Selvasekaran, learned Standing Counsel for respondent no.3.

2.The case of the petitioner is that he received a locking and sealing and demolition notice dated 16.08.2019 under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, in relation to deviated construction at Plot No.2 & 3, S.No.126/2C, ICL Home Town Noombal Village. Against the said notice, the petitioner preferred an appeal under Section 80-A of the said Act on 19.08.2019. In the said appeal, the petitioner has also preferred an application for stay on the same date.

3.The grievance of the petitioner is that though the appeal as well as the application for stay were filed on 19.08.2019, till today, no orders have been passed thereon, hence, the petitioner prayed that his appeal and the application for stay be disposed of at the earliest.

4.In view of the submission made by the learned counsel for the petitioner, we direct the first respondent to dispose of the application for stay preferred by the petitioner on 19.08.2019 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.No.25691 of 2019 are closed.

s/d-

Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

sra

To

1. The Secretary to State of Tamilnadu,
Housing and Urban Development Dept.,
Appellate Authority
Fort St. George, Secretariat, Chennai 600 009.
 2. The Member Secretary,
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Building, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
 3. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 600 003.
 4. The Commissioner,
Thiruverkadu Municipality,
Thiruverkadu, Chennai.
- +1 CC to Govt. Pleader sr 77414.
+1 CC to Mrs.P.Veena Suresh, Advocate sr 77288
+1 CC to Mr.C.K.Chandrasekhar, Advocate sr 77000.

W.P.No.26338 of 2019

KK(CO)
SP(27/09/2019)

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