

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.26570 of 2019

R.Gayathri

.. Petitioner

-vs-

1.The Secretary to Government,
Housing and Urban Development
Dept., Fort St. George,
Secretariat, Chennai 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 600 003.

3.The Executive Engineer,
Zone-15, Sholinganallur,
Chennai 600 119.

4.Mohammed Shuaib Musvee

5.Shagufta S Musvee

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondent from acting in pursuance of their notice dated 05.08.2019 in Letter No.15/00015/2019 in respect of the premises of the petitioner situated in No.12, Nehru Street, Sholinganallur, Chennai 600 119, pending disposal of the appeal on the file of 1st respondent dated 26.08.2019.

For Petitioner : Mr.V.T.Balaji
for M/s.D.Aruna

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) 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.C.K.Chandrasekhar, learned counsel for the petitioner, Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.), for respondent no.1 and Dr.C.Ravichandran, learned Standing Counsel, for respondent nos.2 and 3.

2.The case of the petitioner is that a de-occupation notice dated 05.08.2019 was received by the petitioner. The said notice was issued under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, in relation to building at Door No.12, Nehru Street, Sholinganallur, Chennai 600 119. Against the said notice, the petitioner preferred an appeal under Section 80-A of the said Act on 26.08.2019. 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 26.08.2019, 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 26.08.2019 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.

s/d-

Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

sra
To

1.The Secretary to Government,
Housing and Urban Development
Dept., Fort St. George,
Secretariat, Chennai 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 600 003.

3.The Executive Engineer,
Zone-15, Sholinganallur,
Chennai 600 119.

+1 CC to Ms.D. Aruna, Advocate sr 77020.

+1 CC to The Govt. Pleader sr 77413.

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KK(CO)
SP(26/09/2019)



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