

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.9.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27224 of 2019
and
W.M.P.No.26623 of 2019

P.Kamalesh

Petitioner

Versus

1. The Secretary to Government,
Housing and Urban Development
Department,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.
3. The Assistant Executive Engineer,
Greater Chennai Corporation,
Division No.33, Ward-26,
Zone-3, No.1 Thattankulam Street,
Bazaar Road, Madhavaram,
Chennai 600 060.
4. The Assistant Engineer,
Greater Chennai Corporation,
Division No.33, Ward-26,
Zone-3, No.1 Thattankulam Street,
Bazaar Road, Madhavaram,
Chennai 600 060.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st Respondent to consider and pass orders on the Petitioner Appeal dated 27.8.2019 filed under Section 80A of the Tamil Nadu Town and Country Planning Act 1971 and to forbear Respondents 2 to 4 from initiating any coercive action against the Petitioners property situated at Sri Raghavendra Nagar, Madhavaram Village in Survey No.1292/1C, T.S.No.129/11, Block No.56, Zone 3, Ward 26 of Chennai Corporation Limits measuring

to an extent of 1740 sq.ft. in pursuance to the notice for locking and sealing and demolishing under Section 56 and 57 of Town and Country Planning Act in Notice No.Dn/33/4/2019 dated 16.8.2019.

For petitioner : Mr.P.Chandrasekar

For R1 : Mr.Kamalakannan, Govt. Advocate

RR2 to 4 : Mr.C.Ravichandran, Standing Counsel

ORDER

(Order of the court was made by C.SARAVANAN, J.)

The Writ Petition has been filed for a direction to dispose of his Appeal filed under Section 80A of the Tamil Nadu Town and Country Planning Act 1971 and to forbear Respondents 2 to 4 from initiating any coercive action against the Petitioners property situated at Sri Raghavendra Nagar, Madhavaram Village in Survey No.1292/1C, T.S.No.129/11, Block No.56, Zone 3, Ward 26 of Chennai Corporation Limits measuring to an extent of 1740 sq.ft. in pursuance to the notice for locking and sealing and demolishing under Section 56 and 57 of Town and Country Planning Act in Notice No.Dn/33/4/2019 dated 16.8.2019.

2. Heard Mr.P.Chandrasekar, learned counsel for the Petitioner, Mr.Kamalakannan, learned Government Advocate for Respondent No.1/State and Mr.C.Ravichandran, learned Standing Counsel appearing for Respondents 2 to 4.

3. The learned Government Advocate submits that the State is considering the Appeals only of the month of January 2019.

4. The Appeal of the Petitioner having been filed on 27.8.2019, we do not find any merit in the present Writ Petition. However, we expect the Authority concerned to dispose of the Stay Petition for interim relief within a period of four weeks from today. The writ petition is disposed of accordingly. No costs. The connected Miscellaneous Petition is closed. Copy of this order be sent to the Respondents forthwith.

WEB COPY

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Secretary to Government,
Housing and Urban Development
Department,
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+1cc to Mr.P.Chandrasekar, Advocate, S.R.No. 79512
+1cc to the Government Pleader, S.R.No. 80172

W.P.No.27224 of 2019

RK(CO)
GN(30/09/2019)

सत्यमेव जयते

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