

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2019

CORAM :

THE HON'BLE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.Nos.29229 and 29231 of 2019

Oppilamani . Petitioner
in WP.29229/2019

M.Mallika ... Petitioner
in WP.29231/2019

Vs

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

2 The Municipal Commissioner
Pammal Municipality
Pasumpon Nagar, Pammal
Chennai - 600 075.

.. Respondents
in both writ petitions

PRAYER in W.P.No.29229 of 2019: Petition filed under Article 226 of the Constitution of India praying for issue of writ of mandamus forbearing respondents 1 and 2 from in any manner initiating any coercive action of locking, sealing and demolition of the petitioner's premises at P.No.13, F-2, Samundeeswari Nagar, Bharathiyar Street, Prasanthi Colony, Pammal Village, Chennai - 600 044, in S.No.176/8A2 till the disposal of the petitioner's appeal under Section 80-A of the Tamil Nadu Country Planning Act dated 27.06.2019 pending on the file of the 1st respondent.

PRAYER in W.P.No.29231 of 2019: Petition filed under Article 226 of the Constitution of India praying for issue of writ of mandamus forbearing respondents 1 and 2 from in any manner initiating any coercive action of locking, sealing and demolition of the petitioner's premises at P.No.13, F-1, Samundeeswari Nagar, Bharathiyar Street, Prasanthi Colony, Pammal Village, Chennai - 600 044, in S.No.176/8A2 till the

disposal of the petitioner's appeal under Section 80-A of the Tamil Nadu Country Planning Act dated 19.06.2019 pending on the file of the 1st respondent.

For Petitioners : Ms.N.R.Jasmine Padma
in both writ petitions

For Respondents : Mr.V.Jayaprakash Narayanan
in both writ petitions Government Pleader

COMMON ORDER

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

The petitioners have filed these writ petitions to forbear the respondents from in any manner initiating any coercive action of locking, sealing and demolition of the premises of the petitioners till the disposal of the appeals filed by them under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971.

2. The learned counsel for the petitioners submits that the petitioners have already filed appeals under Section 80A of the Act before the Secretary to Government, Housing and Urban Development Department, Secretariat, Fort St. George, Chennai - 600 009, on 27.6.2019 and 19.6.2019 respectively, but the same have not been decided since long and hence the present writ petitions have been filed.

3. In these circumstances, we request the concerned Secretary to Government, Housing and Urban Development Department to dispose of the aforesaid appeals filed by the petitioners expeditiously, after hearing the concerned parties, including the petitioners. The petitioners may appear before the said authority in the first instance on 11.11.2019.

With these observations, the writ petitions are disposed of. No costs. Consequently, W.M.P.Nos.29029 and 29032 of 2019 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1 The Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St.George
Chennai - 600 009.
- 2 The Municipal Commissioner
Pammal Municipality
Pasumpon Nagar, Pammal
Chennai - 600 075.

+2cc to Mr.L.Chandrakumar, Advocate, S.R.No.85723

+1cc to the Government Pleader, S.R.No.85826

W.P.Nos.29229 and 29231 of 2019

CP(CO)
CS(18/10/2019)



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