

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.1730 of 2020
and
W.M.P.No.2002 of 2020

A.M.Mahmood Husain
S/o.A.Mohammed Meeran Sahib

... Petitioner

Vs.

1.The Executive Engineer,
Zone-IX, Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai - 600034.

2.The Assistant Executive Engineer,
Unit-26, Zone-IX,
Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai - 600034.

3.The Assistant Engineer,
Div - 122, Unit - 26, Zone - IX,
Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai - 600034.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the impugned Locking and Sealing and Demolition Notice of respondent in Zone-IX/DN-122/TNPENF/001/2020 dated 07.01.2020 on the file of respondents and to quash the same and consequently, direct the respondents not to take any further action of locking and sealing of the building at Door No.77, Old No.43, Chamiers Road, Raja Anamalaipuram, Chennai - 600028.

For Petitioner : Dr.C.Ravichandran
for Mr.I.Saravanel

For Respondents : Mr.K.Raja Shrinivas

ORDER

[Order of this Court was made by R.SUBBIAH, J]

The present petition has been filed seeking quash of the impugned Locking and Sealing and Demolition Notice of respondents in Zone-IX/DN-122/TNPENF/001/2020 dated 07.01.2020 and consequently, direct the respondents not to take any further action of locking and sealing of the building at Door No.77, Old No.43, Chamiers Road, Raja Anamalaipuram, Chennai - 600028.

2. Heard learned counsel for petitioner and learned standing counsel for respondents.

3. Though very many contentions have been raised, this Court is of the view that the petitioner, challenging the impugned order, can file a special revision u/s.80A of the Town and Country Planning Act, 1971, before the Government. Therefore, this Court is not inclined to entertain the present Writ Petition.

Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to prefer a special revision u/s.80A of the Town and Country Planning Act, before the Government, within a period of two weeks from the date of receipt of this order. Respondents are directed to maintain status quo till the filing of special revision by the petitioner. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(C.S.VIII)

/True Copy/

Sub Assistant Registrar

To

- 1.The Executive Engineer,Zone-IX, Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai - 600034.
- 2.The Assistant Executive Engineer, Unit-26, Zone-IX,
Greater Chennai Corporation,No.1, Lake Area,
4th Cross Street, Nungambakkam, Chennai - 600034.
- 3.The Assistant Engineer, Div - 122, Unit - 26, Zone - IX,
Greater Chennai Corporation,No.1, Lake Area, 4th Cross Street,
Nungambakkam, Chennai - 600034.

+1cc to Mr.K.Raja Shrinivas, Advocate Sr.No.6276

+1cc to Mr.J.Saravanavel, Advocate SR.No.5769

AKM/10.02.2020 /2P-6C/

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