

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2020

CORAM

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

Writ Petition No.4300 of 2020
and
W.M.P.No.5093 of 2020

A.M.Mahmood Husain, I.F.S. (Retd.),
S/o.A.Mohammed Meeran Sahib ... Petitioner

Vs

- 1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai - 600009.
- 2.The Executive Engineer,
Zone-IX, Greater Chennai Corporation,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai - 600034.
- 3.The Assistant Executive Engineer,
Unit - 26, Zone-IX, Greater Chennai Corporation,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai - 600034.
- 4.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 Mandamus directing first respondent to dispose of the stay petition dated 05.02.2020 filed by petitioner u/s.80(A)(3) of the Tamil Nadu Town and Country Planning Act along with the revision petition dated 05.02.2020 within a time frame that may be fixed by this Court.

For Petitioner : Dr.C.Ravichandran

For Respondents: Mr.V.Shanmuga Sundar,
Special Government Pleader [R1]
Mr.K.Raja Shrinivas [R2 to R4]

O R D E R

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

The present Writ Petition has been filed seeking issuance of a Writ of Mandamus directing first respondent to dispose of the stay petition dated 05.02.2020 filed by petitioner u/s.80 (A) (3) of the Tamil Nadu Town and Country Planning Act along with the revision petition dated 05.02.2020 within a time frame.

2. Heard learned counsel for petitioner, learned Special Government Pleader appearing for first respondent and learned standing counsel appearing for respondents 2 to 4.

3. Learned counsel for petitioner submits that challenging the locking and sealing and demolition notice of respondents dated 07.01.2020, petitioner filed W.P.No.1730 of 2020 and this Court, under order dated 27.01.2020 dismissed such petition granting liberty to petitioner to prefer a Special Revision u/s.80(A) of the Tamil Nadu Town and Country Planning Act before the first respondent within two weeks from the date of receipt of such order and parties were directed to maintain status quo till filing of Special Revision by petitioner. As per the direction of this Court, petitioner filed a Special Revision before the first respondent on 05.02.2020 along with a stay petition. The present petition has been filed seeking a direction to first respondent to dispose of the stay petition dated 05.02.2020 filed by petitioner u/s.80(A) (3) of the Tamil Nadu Town and Country Planning Act.

4. Considering the submissions made, this Court directs first respondent to dispose of the stay petition dated 05.02.2020 filed by petitioner along with the Special Revision within a period of four weeks from the date of receipt of this order. Till the disposal of stay petition, parties are directed to maintain status quo as on date. This Court further directs the first respondent to dispose of the Special Revision within a period of six weeks thereafter.

The Writ Petition is disposed of with the above direction. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

To

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

2.The Executive Engineer,
Zone-IX, Greater Chennai Corporation,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai - 600 034.

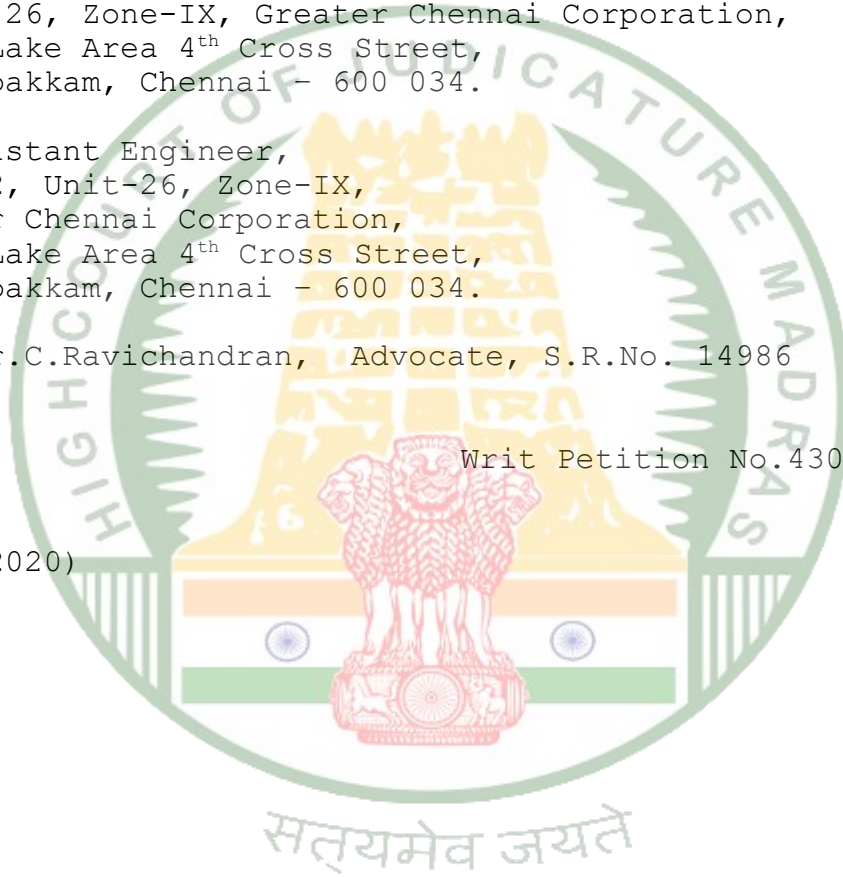
3.The Assistant Executive Engineer,
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No.1, Lake Area 4th Cross Street,
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4.The Assistant Engineer,
Div-122, Unit-26, Zone-IX,
Greater Chennai Corporation,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai - 600 034.

+1cc to Mr.C.Ravichandran, Advocate, S.R.No. 14986

Writ Petition No.4300 of 2020

RK(CO)
GN(27/05/2020)



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