

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.06.2020
CORAM
THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.8543 of 2020
and
W.M.P.No.10327 of 2020

S.Natanasabapathy
S/o.Sadagopan

... Petitioner

Vs.

1.The Commissioner,
Chidambaram Municipality,
Chidambaram, Cuddalore District.

2.The Commissioner,
Director of Town & Country Planning,
807, Anna Salai,
Chennai - 600002.

3.The Secretary/Additional Secretary to Government,
Housing and Urban Development Department,
St.George Fort, Chennai - 600009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus forbearing the first respondent or anybody on their behalf from initiating any coercive action of demoliton/locking and sealing of petitioners residential building situated at 12/27, Lalpettai Street, Chidambaram, Cuddalore District under Tamil Nadu District Municipalities Act pending determination of petitioner's appeal petition with respondents 2 and 3 dated 15.06.2020.

For Petitioner : Mr.R.Mohan
For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader

ORDER

(ORDER OF THE COURT MADE BY R.SUBBIAH J)

The present Writ Petition has been filed seeking issuance of a Writ of Mandamus forbearing the first respondent or anybody on their behalf from initiating any coercive action of demoliton/locking and sealing of petitioners residential building situated at 12/27, Lalpettai Street, Chidambaram, Cuddalore District under Tamil Nadu District Municipalities Act pending determination of petitioner's appeal petition with respondents 2 and 3 dated 15.06.2020.

2. Heard learned counsel for petitioner and learned Government Pleader appearing for respondents.

3. Though very many contentions have been raised by learned counsel appearing for petitioner, the crux of the submission is that he has already preferred an appeal/Special Revision Petition along with a stay application and the same is pending before the respondents.

4. Learned Government Pleader appearing for respondents also submits that petitioner's appeal is pending on the file of respondents.

5. Since the petitioner has already preferred an appeal along with a stay application u/s.80-A and 80-A(3) of the Tamil Nadu Town and Country Planning Act, before the respondents, respondents are directed to first consider the application for stay and pass orders thereon, preferably within a period of three weeks from the date of receipt of a copy of this order. Till the disposal of the stay application, respondents shall maintain status quo. After disposal of the stay application, respondents are directed to dispose of the main appeal within a period of eight weeks thereafter, after affording an opportunity of personal hearing to the petitioner.

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

-s/d-
Assistant Registrar
True Copy

Sub-Assistant Registrar

gm

To

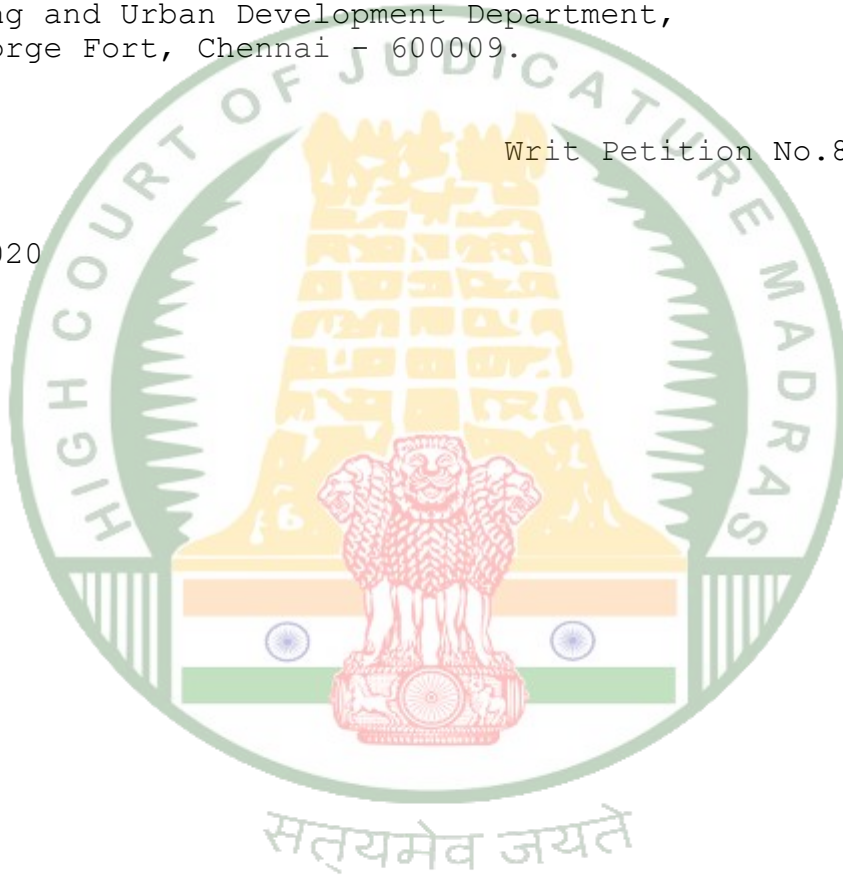
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pvs (co)
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