

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

W.P.Nos.8913, 8914, 8916, 8917, 8918, 8919, 8920, 8921,
8923, 8924, 8925 and 8926 of 2020

&

W.M.P.Nos.10842, 10841, 10843, 10844, 10845,
10847, 10846, 10849, 10850, 10852, 10855 and 10857 of 2020

M.Balakrishnan	..	Petitioner	in	W.P.No.8913	of	2020
S.K.Perumal	..	Petitioner	in	W.P.No.8914	of	2020
M.Krishnasamy	..	Petitioner	in	W.P.No.8916	of	2020
J.Lime Rose Jayanthi	..	Petitioner	in	W.P.No.8917	of	2020
S.Raja Gandhi	..	Petitioner	in	W.P.No.8918	of	2020
M.Shanmugam	..	Petitioner	in	W.P.No.8919	of	2020
E.Sampath	..	Petitioner	in	W.P.No.8920	of	2020
R.Selvi	..	Petitioner	in	W.P.No.8921	of	2020
V.Sachinandham	..	Petitioner	in	W.P.No.8923	of	2020
M.Ponnuvel	..	Petitioner	in	W.P.No.8924	of	2020
R.G.Nagappan	..	Petitioner	in	W.P.No.8925	of	2020
Rita Mary Albonsa	..	Petitioner	in	W.P.No.8926	of	2020

Vs

- 1.The Director,
Department of Town & Country Planning,
Annasalai, Chennai - 600 002.
- 2.The Commissioner, Corporation of Chennai,
Rippon Building, Chennai - 600 003.
- 3.The Executive Engineer,
Zone - 01, Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.
- 4.The Assistant Engineer,
Division - 001, Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.
- 5.The Assistant Executive Engineer,
Unit - 01, Zone - 1,
Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.

. Respondents in all WPs.

PRAYER IN W.P.No.8913 OF 2020: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order dated 18.03.2020 (signed on 21.05.2020) letter No. 01/00905/2020 passed by the respondents 3 to 5 and quashing the same.

PRAYER IN W.P.Nos.8914,8917,8918,8919,8920,8921,8923,8924,8925, and 8926 OF 2020:

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order dated 20.03.2020,18.03.2020, 18.03.2020, 18.03.2020, 18.03.2020, 20.03.2020, 18.03.2020,18.03.2020,18.03.2020,18.03.2020 and 18.03.2020 (signed on 21.05.2020) respectively letter No. 01/00945/2020, 01/00908/2020, 01/00900/2020, 01/00898/2020 01/00915/2020,01/00941/2020,01/00903/2020,01/00902/2020,01/00911/2020 01/00909/2020 and 01/00901/2020 respectively passed by the respondents 3 to 5 and quashing the same.

For Petitioner : Mr.C.Prabhakaran
in all W.Ps.

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader for R1

: Mr.Raja Shrinivas for RR2 to 5

COMMON ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Challenging the impugned orders passed, which are admittedly revisable under the Tamil Nadu Town and Country Planning Act, 1971, the present writ petitions have been filed.

2. The learned counsel appearing for the petitioners submitted that the petitioners are residing in their respective places and the impugned orders have not been given effect to. It is further stated that the petitioners have been residing there for a period of 30 years and giving effect to the impugned orders during pandemic would cause hardship.

3. We do not wish to go into the merits of the case. The orders impugned are revisable under the Act. Thus, considering the facts and circumstances of the cases, while directing the respondents to maintain status quo as on today, the petitioners

are at libaerty to file revision petitions under the abovesaid Act within a period of four weeks from the date of receipt of a copy of this order. It is needless to state that the order of status quo shall be in force till such time the revision petitions are filed and received by the Government and thereafter, the petitioners are at liberty to seek appropriate orders in accordance with law.

4. These writ petitions stand disposed of accordingly. No costs. Consequently, connected writ miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

raa/kmk

To,

- 1.The Director,
Department of Town & Country Planning,
Annasalai, Chennai - 600 002.
- 2.The Commissioner, Corporation of Chennai,
Rippon Building, Chennai - 600 003.
- 3.The Executive Engineer,
Zone - 01, Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.
- 4.The Assistant Engineer,
Division - 001, Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.
- 5.The Assistant Executive Engineer,
Unit - 01, Zone - 1,
Corporation of Chennai,
Thiruvottiyur, Chennai - 600 019.

W.P.Nos.8913, 8914, 8916, 8917,
8918, 8919, 8920, 8921, 8923,
8924, 8925 and 8926 of 2020

A.SK(09/09/2020)