

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

WP.No.9072 of 2020
and
WMP.No.11051 of 2020

Mr.P.S.M.T.Syed Abdul Rahman ...Petitioner

Vs.

1.Rural and Urban Development,
Rep. By its Secretary,
Fort St.George, Chennai - 600 009.

2.The Executive Engineer,
Zone - 10, Division - 129,
Corporation of Chennai,
Kodambakkam,
Chennai - 600 024.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus restraining the 2nd respondent, Corporation of Chennai Zone-X, from locking, sealing or demolishing the building put up at Door No.54, Thiyagaraya Road, Pondy Bazzar, T.Nagar, Chennai - 600 017 till the disposal of the Appeal filed before the 1st respondent.

For Petitioner .. Mr.A.Raja Mohamed

For Respondents .. Mr.G.K.Muthukumar,
Spl. Govt. Pleader for R1
Mr.Raja Shrinivas for R2

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Challenging the action taken by the first respondent, the petitioner has filed an appeal by invoking Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971. Seeking an order of stay pending the aforesaid appeal, the present writ petition has been filed.

2. The learned counsel appearing for the petitioner submitted that the appeal has been filed on 10.03.2020 and the same is pending consideration before the first respondent.

3. The learned Special Government Pleader appearing for the first respondent is not in a position to dispute the abovesaid factum though there is no instruction forthcoming.

4. In such view of the matter, particularly, the pendency of the statutory appeal before the first respondent, we direct the said authority to dispose of the appeal within a period of four months from the date of receipt of a copy of this order. Till then, status quo as on today shall be maintained. We make it clear that this order cannot be construed to mean that the petitioner can put up further construction.

5. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

raa/kmk

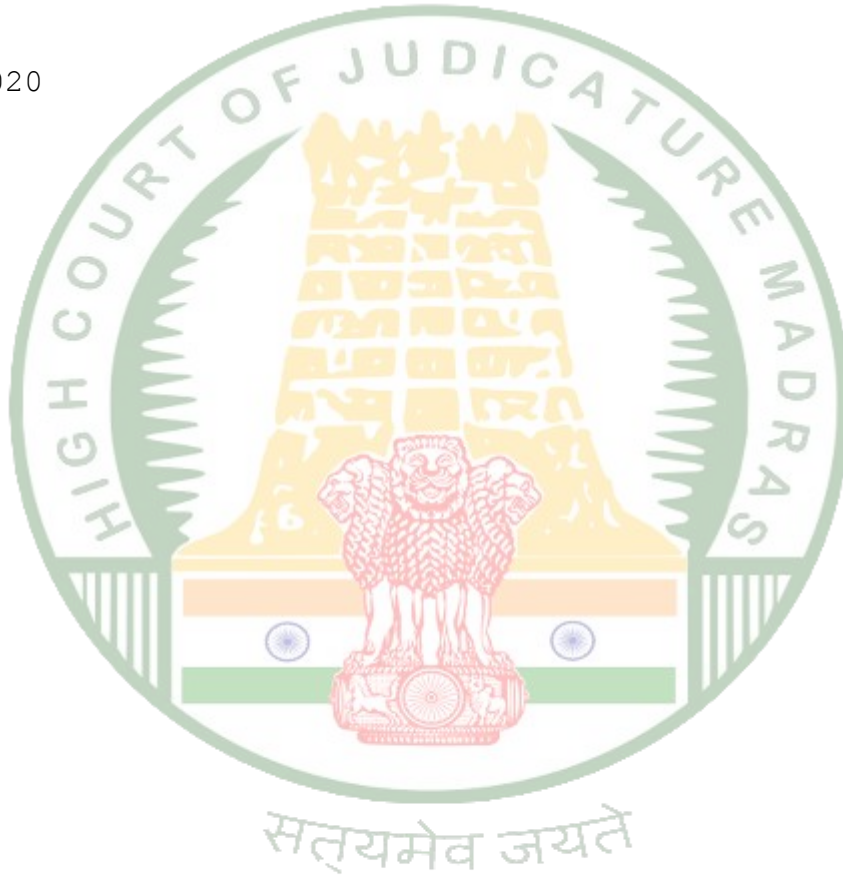
To

1.The Secretary, Rural and Urban Development,
Fort St.George, Chennai - 600 009.

2.The Executive Engineer,
Zone - 10, Division - 129,
Corporation of Chennai,
Kodambakkam,
Chennai - 600 024.

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