

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2020

CORAM

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

W.P.NOS.13995 & 14133 OF 2020
&
W.M.P.NOS.17384 & 17555 OF 2020

Deepak Kumar Dhanraj & Sons HUF
Represented by Kartha, Deepak Kumar
Son of Dhanraj, Old Nos.15, 16, 17,
New Nos.16, 17, 18, Ground Floor,
Wallers Road, Chintadripet, Chennai-1.

... Petitioner in both W.Ps

Vs

1. The Secretary to Government,
Housing and Urban Development Department
& Secretariat, Fort St. George,
Chennai.
2. The Commissioner,
Greater Corporation of Chennai,
Chennai.
3. The Executive Engineer,
Greater Corporation of Chennai,
Zone V, Unit 14, Division 62,
Chennai.

.. Respondents in both W.Ps

Common Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in Notice Nos.Dn.62/181/2020 and Dn.62/182/2020 respectively dated 16.09.2020 on the file of the third respondent and quash the same as illegal, incompetent and without jurisdiction and forbear the respondents, their men, agents and subordinates from taking coercive action as against the petitioner's property situate at shop G4, Old Nos.15, 16, 17, New Nos.16, 17, 18, Ground Floor, Wallers Road,

Chintadripet, Chennai-1 and Shop No.24, First Floor, Old No.15, 16, 17, New Nos16, 17, 18, Wallers Road, Chintadripet, Chennai-1 pending disposal of the appeal presented on 17.03.2020 on the file of the first respondent.

For Petitioner .. Ms.R.Poornima
For Respondents.. Mr.V.Jayaprakash Narayanan,
Government Pleader for R1
Mr.K.Raja Srinivas for R2 & R3

COMMON ORDER

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

The petitioner has filed the above writ petitions seeking to quash the notices in Nos.Dn.62/181/2020 and Dn.62/182/2020 respectively dated 16.09.2020 issued under Section 56(2) Sub Clause (iii) and 2(A) of the Tamil Nadu Town and Country Planning Act, 1971, and issue direction forbearing the respondents from taking coercive action as against the petitioner's property situate at shop G4, Old Nos.15, 16, 17, New Nos.16, 17, 18, Ground Floor, Wallers Road, Chintadripet, Chennai-1 and Shop No.24, First Floor, Old No.15, 16, 17, New Nos16, 17, 18, Wallers Road, Chintadripet, Chennai-1 respectively pending disposal of the appeals presented on 17.03.2020 on the file of the first respondent.

2.Upon going through the records, it appears that the petitioner has filed appeals on 17.03.2020 as against the notices issued under Section 57 read with 85 of the Tamil Nadu Town and Country Planning Act, 1971 and they are pending.

3.Considering the above, particularly, the fact that the petitioner's Appeals invoking Section 80-A of the Act are pending consideration, we direct the respondents to maintain status quo till the disposal of the appeals. We further direct the first respondent to dispose of the appeals dated 17.03.2020 filed by the petitioner within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

raa

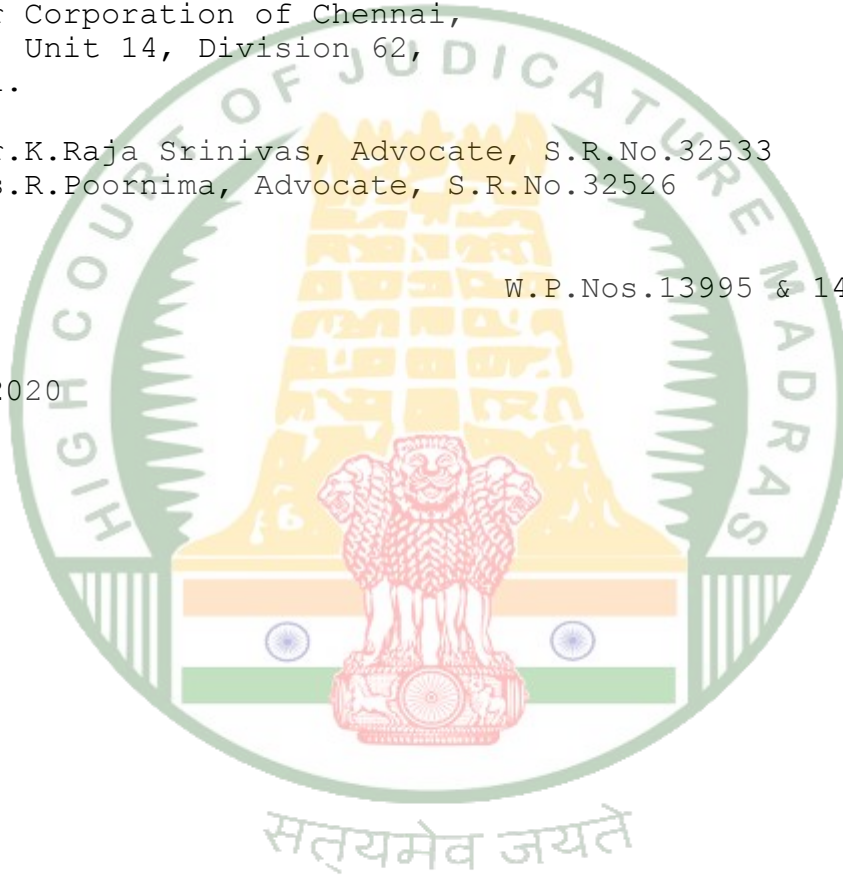
To

1. The Secretary to Government,
Housing and Urban Development Department
& Secretariat, Fort St. George,
Chennai.
2. The Commissioner,
Greater Corporation of Chennai,
Chennai.
3. The Executive Engineer,
Greater Corporation of Chennai,
Zone V, Unit 14, Division 62,
Chennai.

+lcc to Mr.K.Raja Srinivas, Advocate, S.R.No.32533
+lcc to Ms.R.Poornima, Advocate, S.R.No.32526

W.P.Nos.13995 & 14133 of 2020

RP(CO)
CS/02/12/2020



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