

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.03.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.4243/2021 & WMP.No.4847/2021

Bharatha MGR Narpani Mandram
Door No.1, Flat No.30, Pillaiyar Koil Street
T.Nagar, Chennai 600 017 rep.by its
Secretary Mr.V.Nandagopal

.. Petitioner

Versus

- 1.The Secretary
Government of Tamil Nadu
Housing & Urban Development Department
Fort St George, Chennai 600 009.
- 2.The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008.
- 3.The Executive Engineer
Zone IX, Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street
Nungambakkam, Chennai 600 034.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to take petitioner appeal filed on 23.01.2020 under Reference No.TPENF/002/2019 dated 20.06.2019 for hearing.

For Petitioner : Mr.V.Viswanathan
For R1 : Mr.R.Vijayakumar
Additional Government Pleader
For R2 : M/s.P.Veena Suresh
Standing counsel
For R3 : Mr.K.Raja Srinivas
Standing counsel

ORDER

**[Order of the Court was made by M.SATHYANARAYANAN, J.
through Video Conferencing]**

(1)By consent, the writ petition is taken up for final disposal and is disposed of by this order.

(2)The petitioner Association claims that on behalf of the Collector of Chennai District, the petitioner – Association was allotted 0.15.0 of land in S.No.47, Door No.1, Flat No.30, at Pillaiyar Koil Street, T.Nagar, Chennai-17, and since it is less than 150 sq.ft., no planning permission is required and when the petitioner made an attempt to put

up a superstructure, the 3rd respondent issued a notice calling for approved plan dated 21.03.2019 followed by the Locking, Sealing and Demolition Notice dated 20.06.2019. The petitioner made a challenge to the said Notice by filing a special revision/appeal u/s.80-A of the Town and Country Planning Act, 1971, before the 1st respondent on 23.01.2020 along with prayer for unsealing of the premises and the same has been received and acknowledged on 23.01.2020.

(3)The learned counsel for the petitioner would submit that it would be suffice to direct the 1st respondent to consider and dispose of the said appeal/revision within the stipulated time frame.

(4)The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and also perused the materials placed before it.

(5)This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, either in the special revision/appeal pending before the 1st respondent, directs the 1st respondent to consider and dispose of the special revision/appeal bearing Reference No.TPENF/002/2019 dated 20.06.2019 in accordance with law as expeditiously as possible and not later than ten weeks from the date of

receipt of a copy of this order/uploading of the order in the website and communicate the decision taken, to the petitioner.

(6)The writ petition stands disposed of accordingly. No costs.

Consequently, the connected miscellaneous petition is closed.

[MSNJ] [AANJ]
01.03.2021

AP
Internet:Yes

To

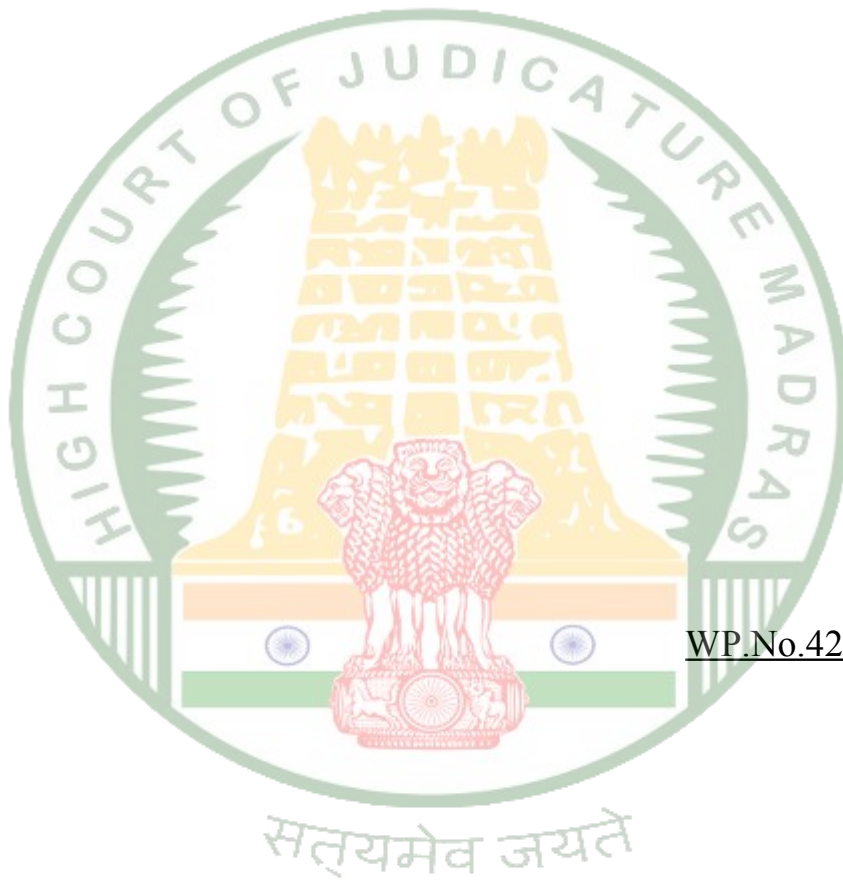
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M.SATHYANARAYANAN, J.,

AND

A.A.NAKKIRAN, J.,

AP



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