



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 24.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.13550 of 2021

Dr.R.Sivasamy Velumani

.. Petitioner

Versus

1. The Secretary to Government,
Housing and Urban Development Department,
St. George Fort,
Secretariat, Chennai 600 009.
2. Executive Engineer, Zone-X,
Greater Chennai Corporation,
No.117, N.S.K. Salai,
Kodambakkam, Chennai 600 024.
3. Assistant Executive Engineer,
Zone-X, Unit-31,
Greater Chennai Corporation,
No.117, N.S.K.Salai,
Kodambakkam, Chennai 600 024.
4. Assistant Engineer, Division 132,
Unit-31, Zone-X,
Greater Chennai Corporation,
No.117, N.S.K.Salai,
Kodambakkam, Chennai 600 024.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the first respondent to consider and pass orders in the stay petition and also in the appeal dated 19.06.2021 filed by the petitioner challenging the de-occupation notice letter No.10/00019/2021, dated 14.06.2021 in respect of premises bearing No.1, 100 Feet Road, Jawaharlal Nehru Road, Opposite to Laskhman Shruthi, Vadapalani, Chennai - 600 026 within a time period to be fixed by this Court and consequently forbearing the respondents 2 to 4 from taking coercive steps pursuant to the de-occupation notice letter No.10/00019/2021, dated 14.06.2021 till disposal of appeal dated 19.06.2021 by the first respondent.



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For petitioner : Dr.C.Ravichandran

For respondents

for R1 : Mr.T.N.C.Kaushik

for RR2 to 4: Mr.Raja Shrinivas

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

The Writ Petition is heard through video conferencing.

2. Heard Dr.C.Ravichandran, learned counsel for the petitioner, Mr.T.N.C.Kaushik, learned Government Counsel appearing for the first respondent and Mr.Raja Shrinivas, learned Standing Counsel appearing for the respondents 2 to 4.

3. By consent of the parties, the Writ Petition is taken up for final hearing at the admission stage itself.

4. The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus, directing the first respondent to consider and pass orders in the stay petition and also in the appeal preferred by the petitioner dated 19.06.2021.

5. It appears that aggrieved over the order of de-occupation notice, issued by the respondents 2 to 4, the petitioner has preferred an appeal before the first respondent.

6. The learned counsel appearing for the petitioner would state that it would suffice if a suitable direction is issued to the first respondent to consider and pass orders on the appeal preferred by the petitioner.

7. The learned Government Counsel appearing for the first respondent would state that the special revision/appeal preferred by the petitioner is pending before the first respondent and he is ready to pass orders in accordance with law.

8. In the light of the statements made by the learned counsels appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider and pass orders on the special revision/appeal made by the petitioner on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order, after affording ample



opportunity to the necessary parties. Till then, the respondents are hereby directed to maintain status quo as on date.

9. With the above directions, the Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

pvs

To

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+1 cc to Mr.C.Ravichandran, Advocate Sr.NO. 49268
+1 cc to Mr.Raja Shrinivas , Advocate Sr.NO. 49536
+1 cc to Government Pleader Sr.NO. 50109

W.P. No.13550 of 2021

SJ(CO)
A.SK(26.10.2021)