



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2021

CORAM:

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

W.P.No.18469 of 2021
and
W.M.P.No.19702 of 2021

1.P.Peo Prabhu
2.E.L.Selvamary
3.Gowri
4.D.Prem Kumar

... Petitioners

Vs.

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai - 9.
2. The Greater Chennai Corporation,
Rep. by its Commissioner,
Rippon Building, Chennai - 3.
3. The Assistant Engineer,
The Greater Chennai Corporation,
AE/DN-95, 2nd Cross Street (East),
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
4. The Assistant Executive Engineer,
The Greater Chennai Corporation,
Unit 21, 2nd Cross Street
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
5. The Executive Engineer,
The Greater Chennai Corporation,
Zone - 08,, 2nd Cross Street
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to conduct enquiry on petitioners' Appeal against the Locking and Sealing and Demolition notice dated 12.04.2021



in Notice No:Zone.08/TPENF/C.No./0189/2021 issued by the Respondents 2 to 5 pertaining to the property situated Door No.1/1, Kumarasamy Nagar, Main Road, Chennai - 600 049 within the time frame fixed by this Hon'ble Court.

WEB COPY

For petitioners : Mr.M. Venakatesh

For Respondents : Mr.V.Jayaprakash
Govt. Advocate (for R1)
Mr.K.Raja Srinivas
Standing Counsel (for R2 to R5)

ORDER

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

The prayer in the Writ petition is to issue a Writ of Mandamus directing the first respondent to conduct an enquiry on the appeal preferred by the petitioners and dispose of the same in a time framed.

2.The learned counsel appearing for the petitioners Mr.M.Venakatesh would argue that the petitioners have preferred an appeal before the first respondent on 06.05.2021 aggrieved over the lock and seal and demolition notice issued by the respondents 3 to 5.

3.The learned counsel for the petitioners would further submit that the petitioners would be satisfied, if a direction is issued to the first respondent to pass orders on the appeal of the petitioners.

4.In this regard, we have heard Mr.C.Jayaprakash, learned Government Counsel appearing for the first respondent and Mr.K.Raja Srinivas, learned standing counsel appearing for the respondent 2 to 5.

5.Considering the limited scope of the prayer sought for in the writ petition and the submission of the learned counsel appearing for the petitioners, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to pass orders on the appeal preferred by the petitioners dated 06.05.2021 purely on merits and in accordance with law, after providing opportunity to the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order. In the meantime, the respondents are directed to maintain status quo.



6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar(CS IV)
//True Copy//

Sub Assistant Registrar

pbl/skn

To

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai - 9.
2. The Greater Chennai Corporation,
Rep by its Commissioner,
Rippon Building, Chennai - 3.
3. The Assistant Engineer,
The Greater Chennai Corporation,
AE/DN-95, 2nd Cross Street (East),
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
4. The Assistant Executive Engineer,
The Greater Chennai Corporation,
Unit 21, 2nd Cross Street
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.
5. The Executive Engineer,
The Greater Chennai Corporation,
Zone - 08,, 2nd Cross Street
Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.

+1CC to Mr.K.Rajashrinivas, Sr.Standing counsel, Sr.No.44503
+1CC to Mr.M.Venkatesh, Petitioner Advocate, Sr.No.44461
+1CC to Government Pleader, Sr.No.44902

W.P.No.18469 of 2021
and
W.M.P.No.19702 of 2021

NR (CO)
K.RK. (17.09.2021)