



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 08.10.2021

CORAM

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

W.P.NO.21749 OF 2021
AND
W.M.P.NO.22933 OF 2021

L.M.Ambiga

-vs-

... Petitioner

1.The Government of Tamilnadu
Rep by its Secretary
Housing & Urban Development
Secretariat
Chennai.

2.The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore,
Chennai - 600 008.

3.The Commissioner
Corporation of Chennai
Ripon Building
Chennai - 600 003.

4.The Assistant Executive Engineer
Greater Chennai Corporation
Zone-VII, No.535, C.T.H.Road
Ambattur, Chennai - 600 053.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to dispose of the revision preferred by the petitioner dated 27.02.2020 within a time frame, fixed by this Court.



WEB COPY

For petitioner : Mr.S.Sabarish
For respondents: Mr.T.N.C.Kaushik, GA for R1
Ms.C.Sumathy Sreekanth, SC
for R2
Mr.Raja Srinivas, Sr.SC
for R3 and R4

ORDER

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

The prayer in this writ petition is to issue a writ of mandamus, directing the 1st respondent to dispose of the revision preferred by the petitioner on 27.02.2020.

2.The learned counsel appearing for the petitioner, Mr.S.Sabarish, would state that the petitioner is the absolute owner of the property, Flat No.8, Ground Floor, Block No.45 (45/8), Shanthi Niketan Colony, Anna Nagar West Extn, Chennai, and the said property was purchased by her late husband-DrL.Muthusamy on 05.12.2003. He would further state that the 3rd respondent issued a pre-notice under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, vide notice dated 22.11.2019. Aggrieved over the same, the petitioner has preferred an appeal before the 1st respondent on 27.02.2020.

3.The grievances expressed by the petitioner is that the appeal is not yet disposed of, but in the meanwhile, the respondents are proceeding to lock the premises.

4.The learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the 1st respondent, to dispose of the special revision preferred by the petitioner on 27.02.2020, in a time frame.

5.Mr.T.N.C.Kaushik, learned Government Advocate appearing for the 1st respondent would state that on the appeal preferred by the petitioner, the 1st respondent is ready to pass orders in accordance with law.

6.In the light of the submissions made by the learned counsel and also considering the limited prayer sought for in this writ petition, without expressing any opinion on the merits of the matter, this Court directs the 1st respondent to dispose of the petitioner's appeal dated 27.02.2020, on merits and in accordance with law, after providing opportunity to all the necessary parties, within a period of three months from the date



of receipt of a copy of this order. Till then, the respondents are directed to maintain status quo as on date.

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

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Jer

To

1. The Secretary
Government of Tamilnadu
Housing & Urban Development
Secretariat
Chennai.

2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore,
Chennai - 600 008.

3. The Commissioner
Corporation of Chennai
Ripon Building
Chennai - 600 003.

4. The Assistant Executive Engineer
Greater Chennai Corporation
Zone-VII, No.535, C.T.H.Road
Ambattur, Chennai - 600 053.

+1cc to Mr.S.Kingston Jero, Advocate, S.R.No.53281
+1cc to Mr.Raja Srinivas, Advocate, S.R.No.53403

W.P.No.21749 of 2021
and W.M.P.No.22933 of 2021

PCH(CO)
PM/10/11/2021