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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 30.09.2021

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

W.P.No.20223 of 2021  
and W.M.P.No.21477 of 2021

S.Sivasankari

... Petitioner

-VS-

1. The Government of Tamil Nadu  
Rep by Secretary to Government  
Housing and Urban Development Department,  
Fort St George Secretariat  
Chennai 600009.

2.The Commissioner,  
Greater Chennai Corporation,  
Rippon Building,  
Chennai 600 003.

3.The Assistant Engineer,  
DIV-050, Zone 5, Greater Chennai Corporation,  
Royapuram, Chennai 600 013.

4. The Assistant Executive Engineer,  
Unit-12, Zone 5,  
Greater Chennai Corporation,  
Royapuram, Chennai 600 013.

5. The Executive Engineer  
Division-50, Zone-7,  
Greater Chennai Corporation,  
Royapuram, Chennai 600 013.

6. The Member Secretary,  
Chennai Metropolitan Development Authority,  
No.1, Thalamuthu Natarajan Building,  
Gandhi-Irwin Road,  
Egmore, Chennai - 600 008.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 2 to 4 to forbear them from interfering with the building put up by the petitioner at No.82-1, West Madha Church Street, Royapuram, Chennai-600 013 in Survey No.103/1 and 103/2 in any manner particularly by way of locking and sealing and demolition pending determination of petitioner's appeal by the 1<sup>st</sup> respondent under Section 80-A of the Tamil Nadu Town and Country Planning Act,1971.

For petitioner : Mr.J.Paulraj  
For respondents : Mr.T.N.C.Kaushik  
Government Counsel for R1  
Mr.K.Raja Shrinivas  
Standing Counsel (Corporation)  
for R2 and R5  
Mr.P.S.Ganesh  
Standing Counsel (CMDA) for R6

#### ORDER

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

The petitioner has sought for a writ of mandamus, forbearing the respondents from interfering with the building put up by the petitioner at No.82-1, West Madha Church Street, Royapuram, Chennai-600 013 in Survey No.103/1 and 103/2.

2.Mr.T.Dharani, learned counsel for the petitioner would state that the respondents issued the lock and seal notice on 04.01.2021, subsequently, de-occupation notice was issued on 06.07.2021. Challenging the same, the petitioner has preferred a special revision before the 1<sup>st</sup> respondent on 19.08.2021. When the special revision is pending, an attempt is being made to lock and seal the premises.

3.Mr.T.N.C.Kaushik, learned Government Counsel appearing for the State would submit that the 1<sup>st</sup> respondent is ready to dispose of the special revision within a period of six months.

4.Considering the facts and circumstances of this case, this Court without expressing any opinion on the merits of this case, directs the 1<sup>st</sup> respondent to pass orders on the special revision, filed by the petitioner on 19.08.2021, within a period of six months from the date of receipt of a copy of this order. Till then, the respondents shall not precipitate the matter.



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5. In the result, this writ petition stands disposed of with the above directions. No costs. Consequently connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-CCC)

// True Copy //

Sub Assistant Registrar

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To

1. The Secretary to Government  
Government of Tamil Nadu  
Housing and Urban Development Department,  
Fort St George Secretariat  
Chennai 600009

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No.1, Thalamuthu Natarajan Building,  
Gandhi-Irwin Road,  
Egmore, Chennai - 600 008.

+1CC to Mr.K.Raja Shrinivas, Advocate, SR.No. 51727

+1CC to M/s.T.Dharani, Advocate, SR.No. 51222

+1CC to The Government Pleader, SR.No. 51285

W.P.No.20223 of 2021  
and  
W.M.P.No.21477 of 2021

CP(CO)  
B.VC (01/11/2021)