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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P. NO.21012 OF 2021

M.R.K.Jhayaram

.. Petitioner

Versus

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St. George, Chennai 600 009.

2. The Zonal Officer (Zone-XI),
Greater Chennai Corporation,
Chennai 600 087.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondent herein to dispose of the special revision filed by the petitioner herein dated 22.03.2021 under Section 80-A of the Town and Country Planning Act, 1971.

[Prayer amended as per the order of this Court,
dated 08.10.2021 in WMP.No.23123 of 2021
in WP.No.21012 of 2021]

For petitioner : Mr.K.Sharath Chandran

For respondents

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

for R2 : Mr.K.Raja Shrinivas



ORDER

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

WEB COPY The Writ Petition is heard through video conferencing.

2. The petitioner has come up with this Writ Petition for issuance of a Writ of Mandamus, directing the first respondent to dispose of the special revision filed by the petitioner dated 22.03.2021.

3. It is the case of the petitioner that he is the absolute owner of the property in Plot No.115 at S and P Garden, 4th Cross Street, Nolambur, Chennai. After obtaining building permission, he constructed G + 3 floors. Due to some minor deviation, the respondents has issued lock and seal notice. Hence, the petitioner filed an appeal/special revision before the first respondent.

4. Mr.K.Sharath Chandran, 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/special revision preferred by the petitioner.

5. Mr.T.N.C.Kaushik, learned Government Advocate 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.

6. In the light of the submissions made by the learned counsels appearing on either side, this Court, without going into the merits of the matter, directs the first respondent to dispose of the appeal/special revision dated 22.03.2021 purely 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 directed to maintain status quo as on date.



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

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

pvs

To

1. The Principal Secretary to Government,
The Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Zonal Officer (Zone-XI),
Greater Chennai Corporation,
Chennai 600 087.

+1cc to M/s.Govind Chandrasekar, Advocate, S.R.No.53263

+1cc to M/s.K.Raja Shrinivas, Advocate, S.R.No.53402

W.P. No.21012 of 2021

KSM(CO)

RLP(22/11/2021)