



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.11.2021
CORAM:
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.24458 of 2021
and
W.M.P.Nos.25779 and 25780 of 2021

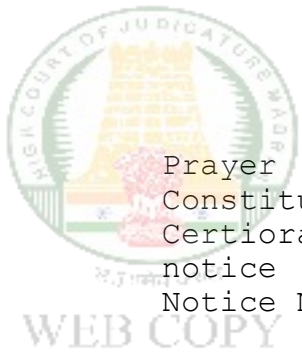
V.R.Thiruvengadam

...Petitioner

Vs.

- 1.The Principal Secretary to Government,
Housing and Urban Development Department,
Fort. St. George, Secretariat,
Chennai - 600 009.
- 2.The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Ponnammallee High Road,
Chennai - 600 003.
- 3.The Regional Deputy Commissioner (Central)
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.
- 4.The Executive Engineer,
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai 600 030.
- 5.The Assistant Executive Engineer,
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.
- 6.The Assistant Engineer,
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.

...Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records pertaining to the impugned notice issued by the 4th respondent herein dated 13.09.2021 vide Notice No.Zone-VIII/TPENF/0190/2020 and quash the same.

For petitioner : Mr.G.Karthikeyan
For respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
(for R1)
Mr.K.Raja Shrinivas
(for R2 to R6)

ORDER

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

Heard Mr.G.Karthikeyan, learned counsel for the petitioner, Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for the first respondent and Mr.K.Raja Shrinivas, learned Senior Standing Counsel appearing for the respondents 2 to 6.

2.The petitioner challenges the de-occupation notice issued by the fourth respondent dated 13.09.2021. It appears that aggrieved over the lock and seal notice issued by the respondents 4 to 6, the petitioner has preferred statutory appeal/special revision before the first respondent on 21.09.2021.

3.The learned counsel for the petitioner would submit that though the petitioner challenges the de-occupation notice issued by the fourth respondent, it would suffice, if a suitable direction is issued to the first respondent to dispose of the statutory appeal/special revision preferred by the petitioner within a time framed. It is also stated that till the disposal of the case, the interest of the petitioner can be protected by an interim order.

4.The learned Additional Government Pleader appearing for the first respondent would state that the first respondent has received the appeal preferred by the petitioner dated 21.09.2021 and he is ready to pass appropriate orders in accordance with law.

5.Though the petitioner has prayed for a larger relief in this writ petition, however, considering the submission of the learned counsels appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the



first respondent to dispose of the appeal/special revision preferred by the petitioner, dated 21.09.2021, on merits and in accordance with law, after affording opportunity of personal hearing to the petitioner. Till then, the respondents are directed to maintain status quo as on date.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

skn

To

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

2. The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Ponnammallee High Road, Chennai - 600 003.

3. The Regional Deputy Commissioner (Central)
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.

4. The Executive Engineer,
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai 600 030.

5. The Assistant Executive Engineer,
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.

6. The Assistant Engineer,
Zone - VIII, Greater Chennai Corporation,
2nd Cross Street (East), Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.

+1 cc to Mr.G.Karthikeyan, Advocate Sr.NO. 60228

+1 cc to Government Pleader Sr.NO. 60645

W.P.No.24458 of 2021

and W.M.P.Nos.25779 and 25780 of 2021

VG II(CO)

A.SK(07.12.2021)