



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM :

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

W.P. No. 23077 of 2021 and
W.M.P.No.24290 of 2021

M/s T.M.Radhakrishna Chetty & Co
A Partnership Firm
Rep by its Managing Partner
Mr.T.G.Radhakrishnan

...Petitioner

Vs.

1.The Secretary to Government
Housing & Urban Development Department
Fort George, Chennai - 600 009.

2.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai - 600 001.

3.The Executive Engineer
Zone - IV
The Greater Chennai Corporation
Tondiarpet
Chennai - 600 039.

...Respondents

PRAYER : Petition filed under Section Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st respondent to consider and pass orders in the Appeal petition filed under the Town & Country Planning Act dated 13.10.2021 filed by the petitioner's challenging the locking and sealing and demolition notice bearing reference No.ZONE-IV/U-09/DIV-36/054/2021 dated 30.09.2021 issued by the 3rd respondent herein under section 56 & 57 read with section 85 of the Town and Country Planning Act, 1971 pertaining to the subject property situated at Plot No.G2, Vyasarpadi Cooperative Industrial Estate, Sembium Village, Perambur Taluk, Chennai and consequently forbear all further proceedings of the respondents from initiating any coercive action of locking and sealing for the subject property, pending disposal of the petitioner's appeal petition before the 1st respondent.



WEB COPY

For Petitioner : Mr.C.Gauthamaraj

For Respondents : Mrs.Akhila Rajendran
Government Advocate for R1
Mr.K.Raja Srinivas, Sr.SC
for RR2 & 3

ORDER

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

This writ petition has been filed, seeking direction to the 1st respondent to consider and pass orders on the appeal preferred by the petitioner on 13.10.2021.

2.The learned counsel for the petitioner, Mr.C.Gauthamaraj, would state that aggrieved over the lock and seal and demolition notice, issued by the respondents 2 and 3, the petitioner has preferred an appeal before the 1st respondent. However, pending appeal, the respondents are attempting to seal the premises.

3.The learned Government Advocate appearing for the 1st respondent, Mrs.Akhila Rajendran, on instructions would state that the petitioner has preferred the appeal, only in the month of October 2021 and the 1st respondent is ready to dispose of the appeal within a period of six months.

4.Considering the submissions of the learned counsels and also taking note of the fact that the 1st respondent is ready to dispose of the appeal, this Court, without going into the merits of the matter, directs the 1st respondent to pass orders on the appeal preferred by the petitioner dated 13.10.2021, on merits and in accordance with law, after affording opportunity to all the necessary parties. Till then, the respondents are directed to maintain status-quo.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Jer



To

1. The Secretary to Government
Housing & Urban Development Department
Fort George, Chennai - 600 009.

WEB COPY

2. The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai - 600 001.
3. The Executive Engineer
Zone - IV
The Greater Chennai Corporation
Tondiarpet
Chennai - 600 039.

+1cc to the Government Pleader, S.R.No.56678

W.P. No. 23077 of 2021

AJS[co]
NSK 25/11/2021