



WP.No.2822/2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.2822/2023  
& WMP.No.2943/2023

S.Prema

.. Petitioner

Vs.

- 1.The State of Tamil Nadu  
rep.by its Secretary  
Housing and Urban Development  
Department, Secretariat  
Fort St George, Chennai 600 009.
- 2.The Commissioner  
Greater Chennai Corporation  
Ripon Building, Periyamet  
Chennai 600 003.
- 3.The Executive Engineer  
Zone-14, Greater Chennai Corporation  
Puzhuthivakkam Main Road  
Perungudi, Chennai 600 091.



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4.The Assistant Executive Engineer  
Zone-14, Division-43, Ward 191  
Greater Chennai Corporation  
Veerathamman Kovil Street,  
Jalladiyanpet, Chennai 600100.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records of de-occupation notice Letter No.14/00103/2023 dated 10.01.2023 issued by 3<sup>rd</sup> and 4<sup>th</sup> respondents and quash the same and directing the 3<sup>rd</sup> and 4<sup>th</sup> respondents to consider the Regularisation Order, G.O [3D] No.60, dated 10.02.2016 issued by the 1<sup>st</sup> respondent in respect of the building in S.No.224/1A1B2, Plot No.6 Door No.1/842B, Jansi Rani Street, Jalladianpet, before initiating any proceedings about the violations in construction under Town and Country Planning Act.

|                |   |                                |
|----------------|---|--------------------------------|
| For Petitioner | : | Mr.P.Thiyagarajan              |
| For R1         | : | Ms.R.L.Kathika, Govt. Advocate |
| For RR 2 to 4  | : | Mr.D.B.R.Prabhu                |
|                |   | Standing counsel               |



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ORDER

[Order of the Court was made by S.S.SUNDAR, J..]

- (1) Learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition, however with liberty to challenge the order impugned by way of a Revision under Section 80-A of the Town and Country Planning Act, 1971. Learned counsel however states that respondents 2 to 4 may be refrained from locking and sealing the premises till such time, the petitioner files the Revision before the 1<sup>st</sup> respondent and gets an interim order. He has also made an endorsement in the petition to that effect.
- (2) Considering the submission of the learned counsel for the petitioner, this writ petition stands **dismissed as withdrawn**. However, liberty is given to the petitioner to approach the 1<sup>st</sup> respondent/Government by way of Revision under Section 80-A of the Town and Country Planning Act, 1971. Since the petitioner is availing the appellate remedy, respondents 2 to 4 shall not take any coercive action for a period of two weeks from the date of receipt of a copy of this order for the petitioner to file a Revision before



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the 1<sup>st</sup> respondent in accordance with law. In case, Revision petition is filed by the petitioner before the Government, the Government may consider the Interlocutory Application that may be filed by the petitioner in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

[SSSRJ] [AANJ]

03.02.2023

AP

Internet : Yes



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To

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State of Tamil Nadu  
Housing and Urban Development  
Department, Secretariat  
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S.S.SUNDAR, J.,  
AND  
A.A.NAKKIRAN, J.,

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