



WEB COPY



W.P.No.3502 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.02.2023

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI
AND

THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

W.P.No.3502 of 2023

K.Subramani

.. Petitioner

Vs.

1.The Additional Secretary (Technical)
Housing and Urban Development Department
Secretariat, Fort St. George, Chennai 600 009

2.The Zonal Officer
Zone No.14, Greater Chennai Corporation
No.6/64, Puzhuthivakkam Main Road
Chennai 600 091

3.The Executive Engineer
Zone No.14, Greater Chennai Corporation
No.6/64, Puzhuthivakkam Main Road
Chennai 600 091

4.The Assistant Executive Engineer
Unit-41, Zone No.14, No.6/64, Puzhuthivakkam Main Road
Chennai 600 091

5.The Assistant Engineer
Division-181, Unit-41, Zone No.14,
No.6/64, Puzhuthivakkam Main Road
Chennai 600 091

.. Respondents



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Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to dispose of the appeal filed by the writ petitioner under Section 80-A of the Town and Country Planning Act, 1971, relating to lock & seal notice No.Z.O.14.C.No.A1/1787/2022 dated 22.12.2022 as expeditiously as possible.

For Petitioner	: Mr.R.Radha Pandian for Mr.B.Aravinthan
For 1 st Respondent	: Mr.A.Selvendran Special Government Pleader
For R2 to R5	: Mr.D.B.R.Prabhu Standing Counsel

ORDER

(Order of the Court was made by V.M.VELUMANI, J.)

Writ Petition is filed for a direction to the 1st respondent to dispose of the appeal filed by the petitioner under Section 80-A of the Town and Country Planning Act, 1971, relating to lock & seal notice No.Z.O.14.C.No.A1/1787/2022 dated 22.12.2022 as expeditiously as possible.

2. By consent of both the learned counsel appearing for the petitioner as well as Mr.A.Selvendran, learned Special Government Pleader, who takes notice



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for the 1st respondent and Mr.D.B.R.Prabhu, learned Standing Counsel, who takes notice for the respondents 2 to 5, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. Mr.R.Radha Pandian, learned counsel representing Mr.B.Aravinthan, learned counsel appearing for the petitioner submitted that the petitioner is a tenant in the building situated at S.No.85 & 169, new S.No.271/11, measuring an extent of 6000 sq.ft, in which, he is running a company in the name and style of Dream Works from the year 2008. While so, on 05.01.2023, the respondents 2 to 4 locked and sealed the building, by serving a copy of the order dated 22.12.2022 issued under Section 56[(2)(A)] and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, on the petitioner. Challenging the said notice, the petitioner filed a revision along with an interim application to stay the proceedings of the respondents on 23.01.2023 under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, before the 1st respondent and has come out with the present writ petition for a direction to the 1st respondent for speedy disposal of the said revision along with the stay petition.



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4. The learned Special Government Pleader submitted that the revision preferred by the petitioner on 23.01.2023 is pending without passing any orders and it will be disposed of shortly.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the 1st respondent and the learned Standing Counsel appearing for the respondents 2 to 5.

6. Considering the above submissions and the relief sought for by the petitioner, the 1st respondent is directed to consider the revision filed along with the stay petition and pass orders on merits and in accordance with law, within three months from the date of receipt of a copy of this order. Till orders are passed by the 1st respondent, the 2nd respondent is restrained from taking any coercive steps against the petitioner.

With the above directions, the writ petition is disposed of. No costs.

(V.M.V.,J.) (R.H.,J.)
08.02.2023

Internet : Yes/No
Neutral citation : Yes/No
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