



WP.No.4473/2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE P.B.BALAJI

WP.No.4473/2023 & WMP.No.4497/2023

G.Sankaran

.. Petitioner

Vs.

1.The Under Secretary
Town and Country Planning
Secretariat, Fort St George
Chennai-600 009.

2.The Commissioner
The Greater Chennai Corporation
Rippon Building
Chennai 600 003.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of mandamus directing the 1st respondent to
dispose of the petitioner's appeal dated 06.02.2023.



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For Petitioner : Mr.R.Karunagaran
For R1 : Mrs.R.L.Karthika
Government Advocate
For R2 : Mr.E.C.Ramesh
Standing counsel

ORDER

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

- (1) The above writ petition is filed by the petitioner for issuance of a writ of mandamus to direct the 1st respondent to dispose of his appeal dated 06.02.2023 pending on the file of the 1st respondent.
- (2) Mrs.R.L.Karthika, learned Government Advocate accepts notice on behalf of the 1st respondent and Mr.E.C.Ramesh, learned Standing counsel accepts notice on behalf of the 2nd respondent.
- (3) In the better affidavit filed by the petitioner today, the petitioner had stated that as against the order of Locking and Sealing and Demolition Notice issued under Section 57 of the Tamil Nadu Town and Country Planning Act, 1973, by the 2nd respondent dated



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21.01.2023, the petitioner has preferred an appeal/revision before the Government.

- (4) Though the Government is not made as a party, considering the fact that the petitioner has filed the writ petition to dispose of his appeal dated 06.02.2023 stated to have been filed by him as against the Locking and Sealing and Demolition Notice dated 21.01.2023, this Court directs the petitioner to submit a representation to the Government before which the petitioner has filed a statutory revision/appeal in terms of Section 80-A of the Town and Country Planning Act. On such representation being made, the Government in terms of the specific provision under the Act, the Government may consider the request of the petitioner to grant interim order. Till such time the representation of the petitioner for interim order is considered by the Government, the respondents are directed not to take coercive steps. It is made clear that the petitioner shall approach the Government for getting the interim order within a period of two weeks from today.



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(5) The writ petition **stands disposed of with the above direction.**

No costs. Consequently, connected miscellaneous petition is closed.

[SSSRJ] [PBBJ]

16.02.2023

AP

Internet : Yes

To

- 1.The Under Secretary
Town and Country Planning
Secretariat, Fort St George
Chennai-600 009.
- 2.The Commissioner
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S.S.SUNDAR, J.,

AND

P.B.BALAJI, J.,

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