



W.P. No.9931 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No.9931 of 2020

and

W.M.P. No.12077 of 2020

1. S.Krishnasamy
2. K.Vasanth Devi
Petitioners

..

Vs.

1. Government of Tamil
Represented by its Secretary to Government
Housing and Urban Development Department
Secretariat, Chennai – 600 009.
2. Chennai Metropolitan Development Department
Rep. by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai – 600 008.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified mandamus, calling for the records of the first respondent in their G.O.(D) No. 20 dated 22.01.2020 rejecting the petitioner's appeal preferred under Section 113(A)(6) of the Town and Country Planning Act, for regularizing the construction put up at No.119, Pedariar Koil Street, George Town, V.O.C. Nagar,



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Chennai - 600001, quash the same and direct the respondents to forbear them from anyway interfering with the above said constructions pending final determination of petitioner's application under Section 113(C) of the said act dated 17.12.2019 vide Reg-113C/1583/2019 by the respondents and such further orders or other orders as this Court may deem fit and proper.

For the Petitioners : Mr.D.S.Rajasekaran

For the Respondents : Mr.Kumaresan
Additional Advocate General
assisted by Mrs.P.Veena Suresh
for R1 & R2

ORDER

(Made by the Hon'ble Chief Justice)

We heard Mr.D.S.Rajasekaran, learned counsel for the petitioners, Mr.P.Kumaresan, learned Additional Advocate General assisted by Mrs.Veena Suresh, learned counsel for respondents 1 and 2.

2. The Government Order relied upon by the petitioners is already set aside by this Court and now, the same is the subject matter of consideration before the Apex Court.



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3. In view of that, directions sought by the petitioners cannot be given. After the Apex Court decides the matter, the parties are at liberty to take further steps.

4. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P. No. 12077 of 2020 is closed.

(S.V.G., C.J.)

(P.D.A., J.)

26.07.2023

Index : Yes/No
Neutral Citation : Yes/No

Maya

To

1. The Secretary to Government of Tamil Nadu
Housing and Urban Development Department
Fort St. George, Secretariat, Chennai – 600 009.
2. The Member Secretary
Chennai Metropolitan Development Department
Thalamuthu Natrajan Building
No.1, Gandhi Irwin Road
Egmore, Chennai – 600 008.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(Maya)

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