



WEB COPY



W.P.No.13734 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Writ Petition No.13734 of 2023
and W.M.P.No.13417 of 2023

P.S.Sivashanmugam

.. Petitioner

Vs.

1.The Principal Secretary to Government
Housing and Urban Development Department
Secretariat, Chennai-9.

2.The Greater Chennai Corporation
Represented by its Commissioner
Rippon building
Chennai-3.

3.The Assistant Engineer
The Greater Chennai Corporation
DIV 061, Pudupet, Chennai.

4.The Assistant Executive Engineer
The Greater Chennai Corporation
Unit 14, Chennai.

5.The Executive Engineer
The Greater Chennai Corporation
Zone-05, Vysarpadi, Chennai.

.. Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the 1st respondent to conduct enquiry on the petitioner's appeal dated 27.03.2023 against the locking & sealing and demolition notice dated 04.07.2022 in Letter No. Dn.61/0279/2022 issued by the respondents 2 to 5 pertaining to the property situated at Old No.481/1B, New No.36, Pantheon Road, Egmore, Chennai-600 008 within the time frame fixed by this Court.

For Petitioner : Mr.S.Arivazhagan

For R1 : Mr.A.Selvendran
Special Govt. Pleader

For R2 to R5 : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

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

The petitioner has come out with the present Writ Petition for a direction to the 1st respondent to conduct enquiry on the petitioner's appeal dated 27.03.2023 against the locking & sealing and demolition notice dated 04.07.2022 issued by the respondents 2 to 5 pertaining to the property situated at Old No.481/1B, New No.36, Pantheon Road, Egmore, Chennai-600 008 within the time frame fixed by this Court.



2. By consent of the learned counsel appearing for the petitioner as well as Mr.A.Selvendran, learned Special Government Pleader, who takes notice 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. Heard the learned counsel appearing for the petitioner as well as learned Special Government Pleader appearing for the 1st respondent and learned Standing Counsel appearing for the respondents 2 to 5 and perused the entire materials on record.

4. According to the petitioner, he has constructed the building in the property bearing Old No.481/1B, New No.36, Pantheon Road, Egmore, Chennai-8, without any approval and planning permission. The respondents 2 to 5 issued lock & seal and demolition notice dated 04.07.2022 and sealed the ground floor of the premises on 08.02.2023. Challenging the said notice, the petitioner has preferred an appeal 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 the above stated relief.



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5.Learned Special Government Pleader appearing for the 1st respondent submitted that the 1st respondent will consider the appeal filed by the petitioner and pass orders within the time limit fixed by this Court.

6.Considering the nature of relief sought for in the Writ Petition along with submissions made on either side, the 1st respondent is directed to dispose of the appeal filed by the petitioner under Section 80-A of the Tamil Nadu Town and Country Planning Act, after giving opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(V.M.V., J) (V.L.N., J)
28.04.2023

Index :Yes/No
Neutral Citation : Yes/No

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**V.M.VELUMANI,J.
and
V.LAKSHMINARAYANAN,J.**

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