



WEB COPY



W.P.No.15693 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI
and

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.15693 of 2023
& W.M.P.No.15175 of 2023

Mrs.A.Fareedha

..

Petitioner

Vs.

1. The Commissioner
Corporation of Coimbatore
Ripon Buildings
Chennai – 600 003
2. The Executive Engineer
Greater Chennai Corporation
Zonal Office VIII
2nd Cross Street (East Pulla Avenue)
Shenoy Nagar
Chennai – 600 030
3. The Assistant Executive Engineer
Greater Chennai Corporation
Division – 104
H Block, 13th Street
Anna Nagar, Chennai – 600 040



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4. The Secretary to Government
Ministry of Housing, Urban Development
Department, Secretariat
Chennai – 600 001.
(R-4 Impleaded vide order dated today
in WMP.No.15659 of 2023 in WP)
 5. V.Ramanathan
Door No.65, AM Block
14th Main Road, Anna Nagar
Chennai – 600 040
 6. V.Ravi
Door No.65, AM Block
14th Main Road, Anna Nagar
Chennai – 600 040
 7. A.B.Siddique
Door No.63A, AM Block
14th Main Road, Anna Nagar
Chennai – 600 040
 8. R.R.Sridhar
Door No.55/16, AM Block
14th Main Road, Anna Nagar
Chennai – 600 040
- .. Respondents

(Respondent 5 to 8 are *suo motu* impleaded vide this order)

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents from initiating any action in pursuance of the De occupation notice issued by the 2nd and 3rd respondents under Section 56(2)(A) and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 in

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notice No.Zone-08, TPENF/C.No.213/2022 dated 11.05.2023 for the property situated at Plot No.2976-E, AM Block, bearing Old Door No.16, 14th Main Road, Anna Nagar, comprised in T.S.No.1, Block no.8 of Naduvangarai Village, Chennai – 600 040 pending disposal of the statutory appeal made under the special provision under Section 80A of the Tamilnadu Town and Country Plannig Act, 1971.

For Petitioner : Mr.S.Thiruvengadam
For Respondents : Mr.E.C.Ramesh
Standing Counsel (Corporation)
: Mr.Devarajan
for *suo motu* impleaded party

ORDER

[Order of the Court was made by V.LAKSHMINARAYANAN.,J.]

This writ petition has been filed to forbear the respondents from initiating action in pursuant to the notice issued under Sections 56(2)(A) and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, pending disposal of the appeal.

2. Mr.Devarajan, learned counsel, would submit that respondents 5 to 8 are the original complainants and they are also entitled to be heard in the writ petition and therefore, they are *suo motu* impleaded. Mr.Devarajan, learned counsel takes notice for *suo motu* impleaded respondents.



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3. It is stated that the appeal has been preferred by the petitioner on 06.02.2023 and the same is pending before the fourth respondent.

4. The fourth respondent is directed to dispose of the appeal filed under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971 giving priority to this case within a period of eight weeks from the date of receipt of a copy of this order. The fourth respondent shall give audience to the petitioner as well as the impleaded parties and decide the appeal at the earliest.

The writ petition stands disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

(B.P.,J.)

(V.L.N.,J.)

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