



WEB COPY



WP No.16233 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.05.2023

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No.16233 of 2023

D.Govindarajan

...

Petitioner

versus

1.The Secretary to Government
Housing and Urban Development Department
Government of Tamil Nadu
Fort St. George, Chennai- 600 009.

2.The Assistant Executive Engineer
Unit 31, Corporation of Chennai,
Zone 10, Arcot Road, Kodambakkam
Chennai- 600024.

3.The Assistant Engineer
Division No.132, Corporation of Chennai
Zone -10, Arcot Road, Kodambakkam,
Chennai- 600 024.

...

Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's Appeal/Petition dated 16.5.2023 and till such time forbear the respondents 2 and 3 from taking any coercive action pertaining to the stop work notice bearing No.10/004796/2023 dated 3.5.2023 including locking and sealing and demolition of the petitioner's shop situated at Door No.29/28, Railway Border Road, Kodambakkam, Chennai- 600 024, measuring 7¼ X 15'.



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Appearances :

Mr.R.Kamaraj, for the petitioner

Mr.P.Balathandayutham, Addl. Govt. Pleader, for the first respondent

Mr.D.B.R.Prabhu, Standing Counsel, for respondents 2 and 3

ORDER

(Made by V. LAKSHMINARAYANAN, J.)

The petitioner has filed this writ petition seeking a writ of mandamus directing the first respondent to dispose of the appeal filed under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, on 16.05.2023.

2. The petitioner's case is that he has constructed a shop in the year 2006 to an extent of 7¼ X 15'. He would state that he was visited with an order of removal of the said construction by respondents 2 and 3 herein. Aggrieved by the same, he has filed an appeal before the first respondent exercising the special powers of Government under Section 80-A of the Act of 1971.

3. Mr.P.Balathandayutham, learned Additional Government Pleader, takes notice for the first respondent and Mr.D.B.R.Prabhu, learned Standing Counsel, takes notice for respondents 2 and 3.

4. Heard both sides.



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5. We direct the first respondent to dispose of the special revision filed under Section 80-A of the Act of 1971 within a period twelve weeks from the date of receipt of a copy of this order. Till such time, respondents 2 and 3 are restrained from taking any further action.

6. The writ petition is disposed of. There will be no order as to costs. Consequently, WMP No.15627 of 2023 is closed.

(B.P., J.) (V.L.N., J.)
25.05.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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