



WEB COPY



W.P.No.18910 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.06.2023

Coram:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE P.DHANABAL

Writ Petition No.18910 of 2023
and
W.M.P.No.18146 of 2023

--

G.Ramakrishnan

Vs.

.. Petitioner

1. The Secretary,
Housing and Urban Development,
Fort St.George,
Chennai.
2. The Director,
Department of Town and Country Planning,
Anna Salai,
Chennai.
3. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai.
4. The Executive Engineer,
Zone-IV,
Corporation of Chennai,
No.266, Tondiarpet High Road,
Tondiarpet,
Chennai-600 021.
5. The Assistant Engineer,

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Division-44,
Corporation of Chennai,
No.266, Tondiarpet High Road,
Tondiarpet,
Chennai-600 021.

6. The Assistant Executive Engineer,
Unit-11,
Corporation of Chennai,
No.266, Tondiarpet High Road,
Tondiarpet,
Chennai-600 021.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to dispose the stay application in the revision petition dated 10.04.2023 filed against the lock & seal and demolition notice, in Letter No.04/00186/2023, dated 20.03.2023 on the file of the respondents 4 to 6.

For petitioner : Mr.R.Rajarajan

For respondents: Mr.E.Vijay Anand, Addl.G.P. for RR-1 & 2

Mr.D.B.R.Prabhu, Standing Counsel for RR-3 to 6

ORDER

(The Order of the Court was made by D.Krishnakumar, J)

The petitioner has filed the above petition seeking for issuance of a Writ of Mandamus to direct the first respondent to dispose of the stay application in the revision petition dated 10.04.2023 filed against the lock & seal and demolition

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notice, in Letter No.04/00186/2023, dated 20.03.2023 on the file of the respondents 4 to 6.

2. It is seen that the petitioner has filed the revision petition as against the notice issued under Sections 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act. Along with the revision petition, the petitioner has also filed a stay petition before the Government under Section 80-A of the said Act.

3. The petitioner has filed this Writ Petition before this Court for the limited prayer for disposal of the stay petition pending before the Government.

4. The learned Additional Government Pleader takes notice for the respondents 1 and 2 and Mr.D.B.R.Prabhu, learned Standing Counsel takes notice for respondents 3 to 6.

5. Considering the limited scope of the prayer made in the Writ Petition, this Court, without dwelling into the merits of the case, and without expressing any opinion on the revision petition, directs the first respondent to consider the stay petition dated 10.04.2023 on its own merits and in accordance with law, if



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such stay petition is filed by the petitioner and if the same is in order. The said stay petition shall be disposed of within a period of one week from the date of receipt of a copy of this order. Till such time, the respondents shall not take any coercive steps in the matter.

6. With the above observations and directions, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, W.M.P. is closed.

(D.K.K., J) (P.D.B.,J)
28.06.2023

CS

To

1. The Secretary,
Housing and Urban Development,
Fort St.George,
Chennai-60 009.
2. The Director,
Department of Town and Country Planning,
Anna Salai,
Chennai.
3. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai.

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4. The Executive Engineer,
Zone-IV,
Corporation of Chennai,
No.266, Tondiarpet High Road,
Tondiarpet,
Chennai-600 021.
5. The Assistant Engineer,
Division-44,
Corporation of Chennai,
No.266, Tondiarpet High Road,
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D.KRISHNAKUMAR, J

and

P.DHANABAL, J

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