



W.P.No.23782 of 2021

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM :

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

AND

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

W.P.No.23782 of 2021

1. A.V.Paramaguru
2. V.P.Geetha Rani

.. Petitioners

Vs.

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.
3. The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai – 600 003.
4. The Regional Deputy Commissioner (South)
Greater Chennai Corporation
Dr.Muthulakshmi Salai, Adyar
Nungambakkam, Chennai – 600 020.



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5. Executive Engineer / Z-IX
Zone 13, Greater Chennai Corporation
Dr.Muthulakshmi Salai, Adyar
Chennai – 600 020.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to forbear from taking any coercive action against the premises of the petitioners located at First floor bearing No:F1, F2 of the 1st petitioner and the premises at 3rd floor bearing No:T1, T2 and T4 of the second petitioner situated at Plot No.B9/A2, second Main Road, Thiruvalluvar Nagar, Thiruvannamiyur, Chennai – 600 041 pending disposal of the regularization applications submitted by the petitioners to the second respondent CMDA being acknowledged vide letter No.113C/MISC/2432/2019 dated 12.09.2019 by the second respondent under the Building Regulation Scheme 2017 of Section 113-C of the Town and Country Planning Act 1971.

For the Petitioners : Mr.G.Rajesh

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

Mrs.R.Anitha
Special Government Pleader
for R1

Mr.A.Arun Babu
for R3 to R5



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ORDER
(Made by the Hon'ble Chief Justice)

We heard Mr.G.Rajesh, learned counsel for the petitioners, Mr.P.Kumaresan, learned Additional Advocate General assisted by Mrs.Veena Suresh, learned counsel for respondent 2, Mrs.R.Anitha, learned Special Government Pleader for respondent 1 and Mr.A.Arun Babu, learned counsel for respondents 3 to 5.

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.

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.



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4. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.25038 & 25045 of 2021 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

12.07.2023

Index : Yes/No
Neutral Citation : Yes/No

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

(drm)

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