



WP.No.8726/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

WP.No.8726/2024

Dr.M.S.Thirumurthi

... Petitioner

Vs.

- 1.Secretary to Government
Housing and Urban Development
Secretariat, Chennai 600 009.
- 2.The Assistant Engineer
The Greater Chennai Corporation
Division 174, Shastri Nagar, Adyar
Chennai 600 020.
- 3.The Assistant Executive Engineer
The Greater Chennai Corporation
Unit-38, Adyar, Chennai 600020.
- 4.The Executive Engineer
The Greater Chennai Corporation
Zone 13, Adyar, Chennai 600 020.

... Respondents



WP.No.8726/2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus forbearing the respondents from initiating any coercive action pursuant to the impugned notice dated 29.12.2023 and received on 10.01.2024 bearing Letter No.Div.174/LIG-001/2023 issued under section 56 sub section 29[A] and 57 read with section 85 of the Tamil Nadu Town and Country Planning Act, 1971 till the disposal of the Special Revision Petition dated 08.02.2024 filed under Section 80[A] of the Tamil Nadu Town and Country Planning Act, 1971 with respect to the building at L-33/4 New No.57, 25th Cross Street, Besant Nagar, Chennai 600 090.

For Petitioner	: Mr.K.Sivasubramanian
For R1	: Mr.G.Nanmaran, Spl.GP
For R2 to R4	: Mr.E.C.Ramesh

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

(1)The present writ petition has been filed by the petitioner seeking for issuance of a writ of mandamus to forbear the respondents from initiating any coercive action pursuant to the impugned notice dated 29.12.2023 till the disposal of the Special Revision Petition dated 08.02.2024 filed under Section 80[A] of the Tamil Nadu Town and Country Planning Act, 1971 with respect to the building at L-33/4 New No.57, 25th Cross Street, Besant Nagar, Chennai 600 090.



WP.No.8726/2024

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(2) Mr. G. Nanmaran, learned Special Government Pleader accepts notice on behalf of the 1st respondent and Mr. E. C. Ramesh, learned counsel accepts notice on behalf of respondents 2 to 4.

(3) The petitioner appears to have purchased a property and admits that he has done some alterations and renovations. Even though the petitioner states that the alterations are not major in nature, it is stated that the official respondents have issued a notice on 08.06.2023 calling for approved plan and thereafter, issued the Impugned Notice dated 29.12.2023 under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971.

(4) The grievance of the petitioner is that he has filed a special revision under section 80-A of the Town and Country Planning Act, 1971, on 08.02.2024 and that the respondents are taking enforcement action even while the revision is pending before the 1st respondent.

(5) It is in the said circumstances, this Court directs the 1st respondent to dispose of the statutory revision dated 08.02.2024 stated to have been filed by the petitioner on merits and in accordance with law, within a period of sixteen weeks from the date of receipt of a copy of this order.



WP.No.8726/2024

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Till such time the statutory revision is disposed of by the 1st respondent in accordance with law, the respondents shall maintain status quo.

(6)The writ petition stands **disposed of**. No costs.

[S.S.S.R., J.] [N.S., J.]
01.04.2024

AP

Internet : Yes

To

- 1.Secretary to Government
Housing and Urban Development
Secretariat, Chennai 600 009.
- 2.The Assistant Engineer
The Greater Chennai Corporation
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WP.No.8726/2024

S.S. SUNDAR, J.,
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WP.No.8726/2024

01.04.2024