



WEB COPY



WP No.23022 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

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P.Ganesan

... Petitioner

versus

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Housing and Urban Development Department,
Secretariat Fort St.George,
Chennai-600 009.
- 2.The Greater Chennai Corporation,
Represented by its Commissioner,
E.V.R.Periya Salai, Rippon Buildings,
Chennai-600 003.
- 3.The Executive Engineer,
Greater Chennai Corporation,
Zone-XII, (Alandur)
No.1, New Street, Alandur,
Chennai-600 016.



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4.The Assistant Executive Engineer,
Greater Chennai Corporation,
Unit-37, Zone -XII, No.121, Garments Complex,
Nagi Reddy Street, Guindy SIDCO,
Chennai 600032.

5.The Assistant Engineer,
Greater Chennai Corporation,
Ward-166, Unit-37, Zone -XII,
Nehru Nedun Salai, B.V.Nagar,
Nanganallur, Chennai -600114.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, forbearing the respondent authorities from in any manner initiating any coercive action of locking and sealing and demolition of the petitioner's premises at Old Door No.6A, New Door No.15A, measuring 1012 Sq.Ft., situated in Kannagi Street, Bakthavatchalam Nagar 18th Street, B.V.Nagar, Nanganallur, Chennai-6000061, till the final determination of the petitioner's special revision petition filed under Section 80(A) of the Act along with stay petitioner under Section 80(A)(3) of the Act in Appeal No.8051527/24, pending with the Government and also the planning permission application filed under Section 49 of the Act and pass orders.

For the Petitioner :Mr.K.Chozhan

For the Respondents :Mr.A.Edwin Prabakar
State Government Pleader
for first respondent
Mrs.S.Vanitha Joice Rani
for respondents 2 to 5

ORDER



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(Made by the Hon'ble Acting Chief Justice)

The writ petition is filed, forbearing the respondent authorities from in any manner initiating any coercive action of locking and sealing and demolition of the petitioner's premises at Old Door No.6A, New Door No.15A, measuring 1012 Sq.Ft., situated in Kannagi Street, Bakthavatchalam Nagar 18th Street, B.V.Nagar, Nanganallur, Chennai-6000061, till the final determination of the petitioner's special revision petition filed under Section 80(A) of the Act along with stay petition under Section 80(A)(3) of the Act in Appeal No.8051527/24, pending with the Government and also the planning permission application filed under Section 49 of the Act.

2. The petitioner has filed an appeal under Section 80(A) along with stay petition under Section 80(A)(3) of the Tamil Nadu Town and Country Planning Act, 1971, as against the locking and sealing of the aforesaid premises of the petitioner. It is also brought to the notice of this court that the petitioner has not obtained planning permission from the



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authority concerned. In such circumstances, we are inclined to direct the first respondent to consider his appeal dated 26.07.2024 and to pass appropriate orders, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order. We make it clear that since it is an unauthorized construction, we are not granting any interim order.

3. The writ petition stands disposed of with the above directions.

There shall be no order as to costs. Consequently, WMP Nos.25102 and 25104 of 2024 are closed.

(D.K.K., ACJ.) (P.B.B., J.)
14.08.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

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Chennai-600 009.

2. The Commissioner,
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THE HON'BLE ACTING CHIEF JUSTICE

and

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