



WP No.23729 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2024

CORAM

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

THE HON'BLE MR.JUSTICE P.B. BALAJI
WP No.23729 of 2024

A.Mohamed Mydeen

: Petitioner

versus

- 1.The Secretary to Government,
Housing & Urban Development Department,
St.George Fort,
Chennai 600009
- 2.The Executive Officer,
Zone 14, Greater Chennai Corporation
No.6/64, Puzhuthiwakkam Main Road
Perungudi, Chennai 91
- 3.The Assistant Executive Officer,
Unit 41, Greater Chennai Corporation
No.6/64, Puzhuthiwakkam Main Road
Perungudi, Chennai 91
- 4.The Assistant Engineer,
Div 184, Unit 41, Zone 14,
Greater Chennai Corporation
No.6/64, Puzhuthiwakkam Main Road
Perungudi, Chennai 91

: Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing respondents 2 to 4 from taking coercive steps pursuant to the letter in M.A.14/N.Ka.No./Special/2024 dated 29.06.2024 issued by the 2nd respondent till disposal of Appeal dated 02.08.2024 by the 1st respondent.

For Petitioner : Mr.M.G.Ramachandran

For Respondents 2 to 4 : Mr.P.Prithvi Chopda,
Standing counsel,

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has come forward with this writ petition seeking to forbear respondents 2 to 4 from taking coercive steps pursuant to the letter dated 29.06.2024 issued by the second respondent, till the disposal of the appeal dated 02.08.2024 before the first respondent.

2. According to the petitioner, the petitioner purchased the writ property vide sale deed dated 27.01.2005. During the year 2020, the petitioner renovated the building. While so, respondents 2 to 4 issued notice to the petitioner calling upon him to produce the approved plan.



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Accordingly, the petitioner produced the approved plan obtained by his vendor. However, respondents 2 to 4 issued locking, sealing and demolition notice dated 13.09.2021. As against the said notice, the petitioner has preferred an appeal. On 11.11.2023, the building was de-sealed. The petitioner was in the process of demolishing the structures which are not in consonance with the revised planning permission. However, the second respondent has issued the impugned letter urging the petitioner to complete the construction within a stipulated period. As against the said letter, the petitioner has preferred an appeal dated 02.08.2024, under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 before the first respondent. The petitioner seeks for a direction forbearing respondents 2 to 4 from taking coercive steps till the disposal of the appeal pending on the file of the first respondent.

3. Heard both sides.

4. After hearing learned counsel on either side, we are inclined to dispose of the writ petition by directing the first respondent to pass orders on the appeal preferred by the petitioner within a period of



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eight weeks from the date of receipt of a copy of this order. Till the appeal is decided by the first respondent, there shall be an order of status quo as on today, to be maintained by the parties.

5. There shall be no order as to costs. Consequently, WMP No.25970 of 2024 is closed.

(D.K.K., ACJ.) (P.B.B., J.)
16.08.2024

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



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