



W.P.No.34600 of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No. 34600 of 2024
and
W.M.P.No. 37525 of 2024

Sivagami

...Petitioner

Vs.

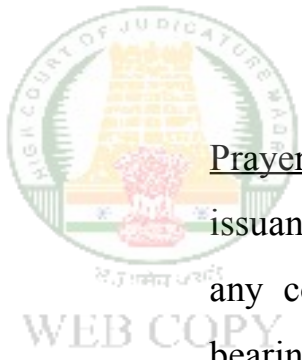
1.Secretary to Government,
Housing and Urban Development,
Secretariat, Chennai - 600 009.

2.The Executive Engineer,
Zonal Office - VI,
Greater Chennai Corporation,
Strahns Road, Otteri,
Chennai - 600 012.

3.The Assistant Executive Engineer,
Unit - 17A, Zone - VI,
Strans Road, Otteri,
Chennai - 600 012.

4.The Assistant Engineer,
Division - 074, Unit - 17A, Zone - VI,
Perambur High Road, Jamaliala,
Chennai - 600 012.

...Respondents



Prayer: Writ Petition filed under 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 29.02.2024 bearing Notice No.06/00502/2024 issued under Section 57 r/w. Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 on the petitioner by the respondents, till the disposal of the Special Revision Petition dated 21.03.2024 filed under Section 80(A) of the Tamil Nadu Town and Country Planning Act, 1971 with respect to the residential building measuring about 93 Sq.m. bearing No.18A, Sastri Nagar, CYS Road, Magalapuram, Chennai - 600 012.

For Petitioner : Mr.K.Sivasubramanian

For Respondents : Mr.S.Balathandayutham

Special Government Pleader for R1

Mr.S.Gopinathan for R2 to R4

ORDER

Though the prayer in the Writ Petition is for negative mandamus, forbearing the respondent from initiating any coercive action pursuant to the notice dated 29.02.2024 issued under Section 57 r/w. 85 of the Tamil Nadu Town and Country Planning Act.

2. It is the grievance of the petitioner that while the revision under Section 80-A is pending, the authorities are attempting to take a punitive action against him, including demolition of the structures.



3. Mr.S.Balathandayutham, learned Special Government Pleader appearing for the 1st respondent would submit that the revision filed under Section 80-A would be disposed of within a time frame fixed by this Court.

4. In view of the said statement, the 1st respondent is directed to dispose of the revision under 80-A filed by the petitioner within a period of four months from the date of receipt of a copy of this order. Till such time, any precipitative action shall not be carried out pursuant to the notice dated 29.02.2024.

5. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (C.K., J.)
22.11.2024

kkn

Internet: Yes

Index: No

Speaking

Neutral Citation : No



To:

- 1.The Secretary to Government,
Housing and Urban Development,
Secretariat, Chennai - 600 009.
- 2.The Executive Engineer,
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R.SUBRAMANIAN, J.
and
C.KUMARAPPAN, J.

KKN

W.P.No. 34600 of 2024
and
W.M.P.No. 37525 of 2024

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