



W.P.No.19340 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.05.2025

CORAM :

The Hon'ble MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

and

The Hon'ble MRS.JUSTICE T.V.THAMILSELVI

**W.P.No.19340 of 2025
and WMP No.21590 of 2025**

A.Subha

... Petitioner

-VS-

1. The Government of Tamil Nadu
Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.
2. Greater Chennai Corporation,
Rep by its Commissioner,
Rippon Building, Chennai-600 003.
3. Greater Chennai Corporation,
Rep by its Executive Engineer,
Zone-10, No.64, NSK Salai,
Kodambakkam, Chennai-600 024.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying
for issuance of Writ of Mandamus forbearing the respondents 2 and 3 from



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in anyway interfering with the petitioner's property situated at Block No.44, Plot No.B, Door No.1B/D, Anna Main Road, Rajaram Film Directors Colony, Kodambakkam, Chennai-600 024 more particularly by the way of locking, sealing and demolition pending final determination of petitioner's Special Revision Petition and Stay Petition under Sec.80A and 80(A)(3) of the Town and Country Planning Act, 1971 dated 08.02.2025 which was acknowledged on 10.02.2025 by the first respondent.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.P.Balathandhayutham
Spl. Government Pleader
For R.1
: Mr.D.B.R.Prabhu
For R.2 and R.3

* * * * *

ORDER

(Order of the Court was made by **SENTHILKUMAR RAMAMOORTHY,J.**)

The petitioner seeks a direction to restrain the second and third respondents from interfering with her property, pending determination of the Special Revision Petition under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971.



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2. Learned counsel for the petitioner submits that an application under Section 49 of the above enactment and a Special Revision Petition under Section 80-A along with a stay petition are pending. He refers to the acknowledgment dated 10.02.2025 in such regard.

3. Mr.P.Balathandhayutham, learned Special Government Pleader, accepts notice on behalf of the first respondent. He submits that about three months' time is required to dispose of the Special Revision Petition.

4. The record discloses that the petitioner has lodged a petition for interim stay under Section 80-A(3) of the Tamil Nadu Town and Country Planning Act, 1971. The said provision empowers the Government to grant interim relief pending consideration of the Special Revision Petition.

5. Accordingly, without going into the merits of the matter, this writ Petition is disposed of on the following terms:-

- (i) The first respondent is directed to consider and dispose of the stay petition under Section 80-A(3) of



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the Tamil Nadu Town and Country Planning Act, 1971

within fifteen days from the date of receipt of copy of this order, after providing a reasonable opportunity to the petitioner.

(ii) Until such time, no coercive action shall be taken against the petitioner's property, pursuant to the de-occupation notice or otherwise.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.K.R., J.)

(T.V.T.S.,J.)

28.05.2025

Index : No
Website : Yes
Speaking Order

sr



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To
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2. The Commissioner,
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3. The Executive Engineer,
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Senthilkumar Ramamoorthy, J.
and
T.V.Thamilselvi, J.

(sr)

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