

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

C.R.P. No.3658 of 2015
and
M.P.No.1 of 2015

Nadar Kalyana Mandapam,
rep. by its Secretary V.P.Baskaran,
No.11/339 F1, Calicut Road,
Gudalur,
The Nilgiris District. ... Petitioner

Vs.

- 1.The Secretary to Government,
State of Tamilnadu,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai-600 009.
- 2.The Commissioner,
Gudalur Municipality,
Gudalur, Nilgiris. ... Respondents

Civil Revision Petition is filed under section 217 L of TN.District Municipalities Act, Act V/1920 as amended as TN Act VIII/92 read with Section 115 of CPC against the Government Letter (U) No.308/Na.Nee.1/2015 dated 14.05.2015 by confirming the order of the 2nd respondent in UAC No.6/2014 TPI dated 29.10.2014 through the 2nd respondent.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.R.Kamalanathan, Addl. G.P.
Mr.V.Shanmugasundaram
Government Advocate

ORDER

(Order of the Court was delivered by The Hon'ble Chief Justice)

It is not disputed that permission was granted only for ground and first floor. It is the case of the petitioner that a flat roof

was constructed as per the sanctioned plan. It is to avoid the effects of the rain, the slope roof has been made.

2. It is quite clear from the photograph produced before us by the learned counsel for the petitioner that actually a second floor has been made with slope roof. The second floor has to go. The petitioner may obtain requisite permission for putting slope roof over the first floor in the property in accordance with a sanctioned plan.

3. At request of the learned counsel for the petitioner, we grant three (3) months' time from the receipt of the order copy to carry out necessary exercise. In case of failure of the petitioner to do the needful within the time stipulated, the second respondent-Municipality will be free to proceed on its own.

4. The Civil Revision Petition, thus, stands disposed of in terms aforesaid. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

- 1.The Secretary to Government,
State of Tamilnadu,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai-600 009.
- 2.The Commissioner,
Gudalur Municipality,
Gudalur, Nilgiris.

+1 cc to Mr.C.Prakasam, Advocate, sr.53505

C.R.P.No.3658 of 2015

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