



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) Nos.6831 and 6832 of 2015
and

M.P. (MD) Nos.1 and 1 of 2015

V.P.Muthaia Pillai Meenakshi Ammal
Engineering College for Women,
rep.by its Chairman,
Krishnankovil,
Srivilliputtur Taluk,
Virudhunagar District

... Petitioner in both WPs

Vs.

1.The Joint Director,
Town and Country Planning,
Madurai.

2.The Commissioner, (Panchyat Union)
Srivilliputtur Panchayat Union,
Virudhunagar.

... Respondents in both WPs

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of Writs of Certiorari to call for the records relating to the impugned Orders bearing Na.Ka.Nos.2227/2012 MM3 dated 16.02.2015 passed by the first Respondent and quash the same.

For Petitioner : Mr.T.Antony Arul Raj
For Respondents : Mr.M.Murugan,
Government Advocate

COMMON ORDER

These writ petitions are filed to quash the impugned orders bearing Na.Ka.No.2227/2012 MM3 dated 16.02.2015 passed by the first respondent.

2. According to the learned counsel for the petitioner, the area in dispute was never notified as falling within a planning area under Section 10(4) of the Tamil Nadu Town and Country Planning Act, 1971. Further, the local planning authority had given planning permission. Under such circumstances, there cannot be any justification for the first respondent to pass the impugned order.

3. Heard the learned counsel on either side.

4.To give a quietus to the issue, petitioner is directed to treat the impugned order as a 'show-cause notice'. The petitioner shall place objections to the same by way of written submissions, within a period of four weeks from the date of receipt of a copy of this order, to the first respondent. The first respondent is directed to pass appropriate orders on the written submissions to be filed by the petitioner, on merits and



in accordance with law, after affording an opportunity of being heard, to the petitioner, within a period of four weeks, thereafter.

5. The writ petitions are disposed of accordingly. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(T&P)

WEB COPY

/True copy/

Sub Assistant Registrar

To

1.The Joint Director,
Town and Country Planning,
Madurai.

2.The Commissioner,
Srivilliputtur Panchayat Union,
Virudhunagar.

+1CC to M/s.T.Antony Arulraj, Advocate in SR.23468

W.P. (MD) Nos.6831 and 6832 of 2015
and MP (MD) Nos.1 and 1 of 2015
28.04.2015

ssm

PBK/PS 19/05/2015 ::2P-4C: