



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2015

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WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.(MD)No.9847 of 2015
and
M.P.(MD)No.1 of 2015

M.Hariharasudhan

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Anna Maligai, Alagarkoil Road,
Madurai-2.

2.The Member Secretary,
Town Planning Authority,
Madurai Corporation,
Anna Maligai, Alagarkoil Road,
Madurai-2.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned notice dated 02.06.2015 issued by the first respondent in his Proceedings Na.Ka.No.Mathi/1/Ma.4/21485/2014 and quash the same and forbearing the first respondent and his officials from demolishing the building.

For Petitioner : Mr.S.Nates Rajaa

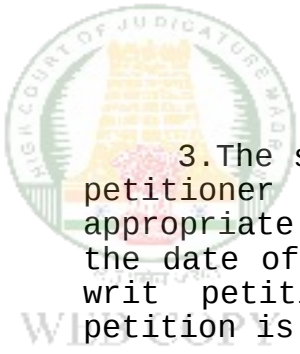
For Respondents : Mr.R.Murali for R1

Mr.M.Rajarajan, Govt.Advocate
for R2

ORDER

This writ petition is filed to quash the impugned notice dated 02.06.2015 issued by the first respondent in his Proceedings in Na.Ka.No.Mathi/1/Ma.4/21485/2014 and also to forbear the first respondent and his officials from demolishing the building belonging to the petitioner in S.Nos.226/3B2 and 226/5B1 in Madakulam, Madurai Town.

2.The impugned notice dated 02.06.2015 came to be issued against the unauthorised construction of the petitioner's property in dispute. At the time of admission, the learned Judge of this Court directed the petitioner to file an undertaking affidavit to the effect that the second floor, which is constructed unauthorisedly will never be used unless and otherwise the revised plan is approved by the second respondent. Such an undertaking affidavit has been filed before this Court today, by the learned counsel for the petitioner.



3.The said undertaking affidavit filed by the learned counsel for the petitioner is recorded. It is open to the second respondent to pass appropriate orders on the revised plan, within a period of six weeks from the date of receipt of a copy of this order. With this observation, the writ petition is closed. Consequently, the connected miscellaneous petition is also closed. No costs.

Sd/-

Assistant Registrar (Per.Admin)

/True Copy/

Sub Assistant Registrar

KM

To

1.The Commissioner,
Madurai Corporation,
Anna Maligai, Alagarkoil Road,
Madurai-2.

2.The Member Secretary,
Town Planning Authority,
Madurai Corporation,
Anna Maligai, Alagarkoil Road,
Madurai-2.

+1CC to Mr.S.Nateshraj Advocate SR NO.337804
+1CC to Mr.R.Murali Advocate SR No.337776
+1CC to spl.Government Pleader SR No.38072

**W.P.(MD)No.9847 of 2015
and M.P.(MD)No.1 of 2015
Dated : 09.07.2015**

GJM - 24.07.2015
2P/6C