



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.16632 of 2013

and MP(MD) 1 to 3 of 2013

A.A.C.Nawaz Ahamed

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Commissioner,
Thoothukudi Corporation,
Thoothukudi.

3.The Member Secretary,
Local Planning Authority,
Thoothukudi.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, sued by the 3rd respondent in C.No.1549/2011 TULPA Notice No.1 dt.13.6.2012 and the consequential impugned proceedings by the 3rd respondent in Na.Ka.No.1249 of 2011 து.உ.தி.கு dated 12.07.2012 and quash the same as illegal and consequentially direct the respondents to unlock and unseal the premises of the petitioner in door No.265A T.S.No.3291/1B2B2 Ward No.4 Block No.17 Melur Bungalaow St. Tuticorin forthwith.

For Petitioner	: Mr.M.Mahaboob Athiff of M/S.Ajmal Associates
For Respondents 1&3	: Mr.M.Govindan, Special Government Pleader.
For 2 nd Respondent	: Mr.S.Saji Bino

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

The petitioner has come forward with this writ petition seeking to quash the proceedings issued by the third respondent dated 13.06.2012 and 12.07.2012 and to direct the respondents to unlock and unseal the premises of the petitioner in Door No.265A, T.S.No.3291/1B2B2, Ward No.4, Block No.17, Melur Bungalaow Street, Tuticorin forthwith.



2.The grievance of the petitioner appears to be that sufficient time was not granted to make a reply along with his supporting documents.

3.In such view of the matter, we are not inclined to go into the merits and contentions raised by the petitioner that the time limit prescribed under Section 56 of the Town and Country Planning Act, 1971 has not been followed. However, liberty is granted to the petitioner to submit his approved plan said to have been granted on 08.07.2011 along with a copy of this order. The authority shall consider the same forthwith and remove the lock and seal, if there is no violation of the approved plan already granted to the petitioner. The said exercise shall be completed within a period of two weeks after receipt of such approved plan along with a copy of this order.

4.With the above observation, the writ petition is disposed of. No costs. Consequently, M.P(MD)Nos.1 to 3 of 2013 are closed.

Sd/-

Assistant Registrar(Writ)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Member Secretary,
Local Planning Authority,
Thoothukudi.

3. The Commissioner, Thoothukudi Corporation, Thoothukudi

+1 CC TO M/S.AJMAL ASSOCIATES, SR NO:43660

+1 CC TO THE SPL.GOV.T.PLEADER, SR NO:44006

SMS

JAM/19.8.15/2P-6C

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