

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH
and
THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.42275 of 2016
and
W.M.P.Nos.36180 and 36181 of 2016

N.Ramalingam

.. Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
113, Rippon Building,
Chennai - 3.
- 2.The Regional Deputy Commissioner
(Central),
Greater Chennai Corporation,
Shenoy Nagar, Chennai - 30.
- 3.The Executive Engineer,
Zone X, Greater Chennai Corporation,
No.117, NSK Salai, Kodambakkam,
Chennai - 34.

4.K.Alfred

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records of the impugned order No.ZO-X/C.No.4782/2016 dated 20.07.2016 passed by the second respondent and in pursuant to the above order third respondent has passed the impugned order Notice No.ZONE-X/TPENF/0009/2016 dated 23.08.2016 and quash the same and consequently direct the respondents 1 to 3 not to demolish the petitioner's property in New Door No.32, Old No.110, East Vanniar Street, K.K.Nagar - West, Chennai - 78 in any manner whatsoever.

For Petitioner : Ms.A.Sumathy

For Respondents : Mr.R.Arunmozhi for R1 to R3

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Seeking to quash the impugned orders dated 20.07.2016 and 23.08.2016 and to direct respondents 1 to 3 not to demolish the petitioner's property in New Door No.32, Old No.110, East Vanniar Street, K.K.Nagar - West, Chennai - 78, the present writ petition has been filed.

2.After making submissions, learned counsel appearing for the petitioner seeks permission to withdraw the writ petition with liberty to exhaust the statutory remedy available under Section 80-A of Tamil Nadu Town and Country Planning Act, 1971.

3.In view of the above, this writ petition is dismissed as withdrawn with liberty to the petitioner to file the statutory appeal under Section 80-A of Tamil Nadu Town and Country Planning Act, 1971 before the appropriate authority within a period of two weeks from the date of receipt of a copy of this order. As and when the petitioner approaches the appropriate authority under the statute, the said authority shall decide the same without reference to the period of limitation. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Commissioner,
Greater Chennai Corporation,
113, Rippon Building,
Chennai - 3.

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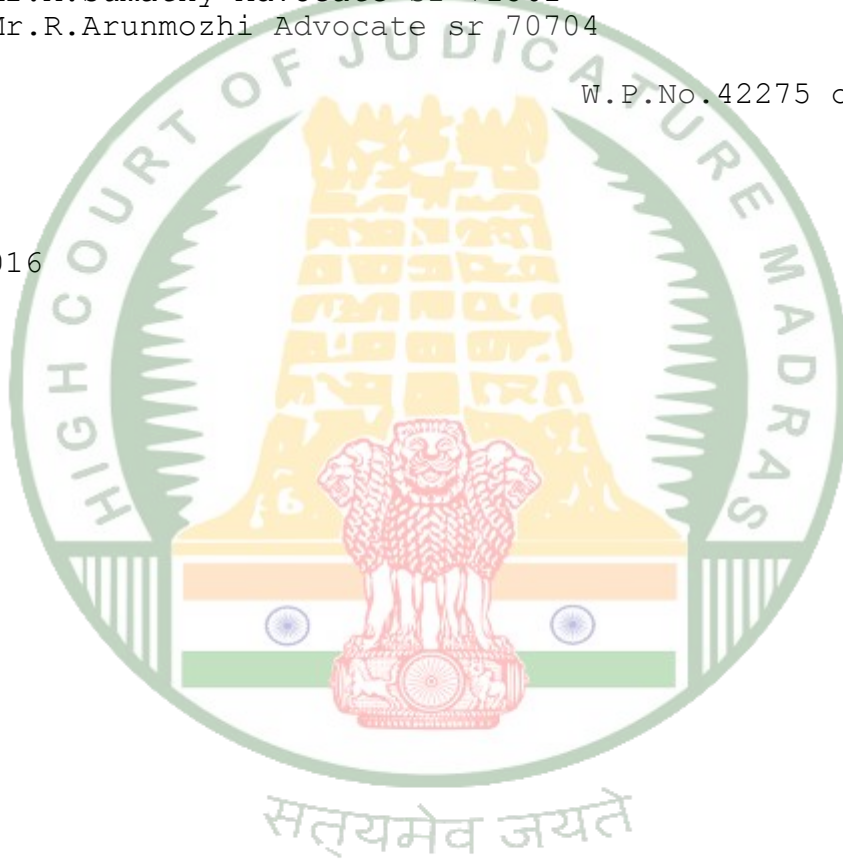
2.The Regional Deputy Commissioner
(Central),
Greater Chennai Corporation,
Shenoy Nagar, Chennai - 30.

3.The Executive Engineer,
Zone X, Greater Chennai Corporation,
No.117, NSK Salai, Kodambakkam,
Chennai - 34.

+1 cc to Mr.A.Sumathy Advocate sr 71561
+1 cc to Mr.R.Arunmozhi Advocate sr 70704

W.P.No.42275 of 2016

nm(co)
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