



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P (MD) No.14735 of 2013

R. ANUPKUMAR
S/O. RAMESHKUMAR,
385D 83 IIND FLOOR,
BHARATHIDASAN ROAD,
ANNA NAGAR THENNUR
TRICHY - 17.

.. Petitioner

Vs.

1 THE COMMISSIONER
TRICHIRAPALLI CORPORATION,
TRICHIRAPALLI.

2 THE MEMBER SECRETARY
LOCAL PLANNING AUTHORITY
TRICHIRAPALLI
REGION TRICHIRAPALLI.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for records relating the Impugned Proceedings issued by the 2nd respondent in his Proceedings in Na.Ka.No.F1/10/2012 dated 04.06.2013 & 10.08.2013 and quash the same as illegal and consequently direct the 1st respondent to unlock and unseal the premises in the occupation of the petitioner in the in S.F.No.147/3 Block No.3 Kodappur Road Uyakondanthirumalai Trichirapalli.

For Petitioner : Mr.M.Ajmal Khan
senior counsel for
M/s.Ajmal Associates

For Respondents : Mr.Aayiram K.Selvakumar
Government Advocate for R2

Mr.N.S.Karthikeyan,
Government Advocate for R1

**ORDER**

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

Challenging the order dated 04.06.2013 in Na.Ka.No.F1/10/2012 dated 04.06.2013 & 10.08.2013 passed by the 1st respondent, the present writ petition has been filed.

2. The case of the petitioner is that he purchased the property on 10.03.2011 from one Dhanalakshmi and constructed a four storeyed building and a plan was submitted before the 2nd respondent and that the 2nd respondent by proceedings in C.No.366/2012TCPA-2 dated 12.04.2012 granted approval and building permission was also granted for constructing the four storeyed building on 15.10.2012. Now, the 1st respondent has issued the present notice under Sections 56(2a) and 57 of the Town and Country Planning Act, 1971.

3. We have heard the learned senior counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. We have also perused the records carefully.

4. The learned senior counsel for the petitioner would submit that the petitioner has filed a revised plan under Section 47 of the said Act and is pending before the second respondent.

5. Without going into the merits of the matter, we direct the 2nd respondent to pass orders on the application for the revised plan of the petitioner within a period of three months from the date of receipt of a copy of this order. Till such time, the impugned order shall be kept in abeyance.

6. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition in M.P.No.1/2013 is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

RR

<https://hcservices.ecourts.gov.in/hcservices/>

1

THE COMMISSIONER

TRICHIRAPALLI CORPORATION TRICHIRAPALLI.



2 THE MEMBER SECRETARY
LOCAL PLANNING AUTHORITY TRICHIRAPALLI
REGION TRICHIRAPALLI.

+1CC to Mr.N.S.Karthikeyan, Advocate Sr.No.72281
+1CC to Spl.Government Pleader Sr.No.72717

Gjm/SKN/21.12.16-3p-5C

**ORDER MADE IN
W.P(MD)No.14735 of 2013
and M.P.No.1 of 2013
24.11.2016**