

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

W.P.No.31083 of 2017 and WMP No.34086 and 34087 of 2017

T.M.Mohammed Kasim

..Petitioner

Vs

1.The State rep. by its
Principal Secretary,
Municipal Administration and Water Supply Department,
Secretariat, St.George Fort,
Chennai.

2. The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam.

..Respondents

Prayer:- 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 Letter No.155/Naa.Nee.1/2017 dated 12.04.2017 passed by the 1st Respondent and consequential Na.Ka.No.7803/2010/F1 issued by the 2nd respondent to quash the same as illegal and consequently, directing the 2nd respondent / municipality to authorize the petitioner's building to an extent of 1173 Sq.ft. in R.S.No.2380 at Kasthuri Bhavan, Peetons Road, Udhagamandalam, Nilgiris District.

For Petitioner : Mr.R.Mohanraj

For Respondents : Mrs.M.E.Rani Selvam
Additional Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

After some arguments, the learned counsel for the petitioner, on instructions, seeks the leave of this Court to avail the remedy under the Tamil Nadu District Municipalities Act, 1920 and also the Tamil Nadu Hilly Areas Special Building Rules, 1981 and under Section 113C of the Tamil Nadu Town and

Country Planning Act, 1971 and also made an endorsement to that effect.

2 This Court heard the submissions of Mrs.M.E.Rani Selvam, learned Additional Government Pleader appearing on behalf of respondents.

3 In the light of the endorsement made, the writ petition is dismissed as withdrawn. If the petitioner is so advised and if it is open to him under law to invoke the relevant provisions of the Act, he is at liberty to do so. No costs. Consequently, the connected Miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rka

To

- 1.The Principal Secretary,
Municipal Administration and Water Supply Department,
Secretariat, St.George Fort,
Chennai.
2. The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam.

WP.No.31083/2017

GP(CO)
RRK(30/01/2018)

सत्यमेव जयते

WEB COPY