

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.07.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.12508/2017 & WMP.No.13300/2017

M.Karthik

... Petitioner

Versus

1. State of Tamil Nadu,
Rep. By its Secretary,
Housing and Urban Delopment Department,
Fort St.George,
Chennai 600 009.
2. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai 600 003.
3. The Executive Engineer,
Corporation of Chennai,
Regional Office-Central,
2nd Cross Street(East),
Pulla Avenue, Shenoy Nagar,
Chennai 600 030.

... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus direct to call for the records relating to the impugned lock and seal Notice Region Central/TPENF/1154/2015 dated 27.08.2015 issued by the 3rd respondent under Section 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 and quash the same and consequently directing the respondents to consider the petitioner's representation dated 01.09.2015 and Application for Planning permission sent by him dated 07.09.2015.

For Petitioner :Mr.J.William Shakesphere
For Respondents :Mrs.Vasudha Thiagarajan,
Additional Government Pleader for R1.
Mr.A.Nagarajan, for R2 and R3.

ORDER

Learned counsel appearing for the petitioner on instructions, seeks permission of this Court to withdraw this petition with a liberty to file Revision Petition under Section 80-A of the Tamil Nadu Town and Country Planning Act,1971 and has also made an endorsement to that effect. He would submit that in pursuant to the impugned Lock and Seal Notice dated 27.08.2015 issued by the 3rd respondent, the petitioner has submitted the representations dated 01.09.2015 and 07.09.2015 respectively to the 3rd respondent and awaiting response, he could not file the revision in time and as such, there is a delay in filing the Revision Petition before the Government.

2 Heard the submissions of the learned Additional Government Pleader appearing for the 1st respondent and the learned Standing counsel appearing for the respondents 2 and 3.

3 In the light of the endorsement made by the learned counsel for the petitioner, the writ petition is dismissed as withdrawn. The petitioner is at liberty to file the Revision Petition under section 80-A of the Tamil Nadu Town and Country Planning Act,1971 within two weeks from the date of receipt of the copy of this Order and upon receipt of the same, the 1st respondent, without raising the issue of limitation, shall entertain such Revision Petition, if the papers are otherwise in order and dispose of the same as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition is also dismissed.

सत्यमेव जयते
Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary,
Housing and Urban Delopment Department,
Fort St.George,
Chennai 600 009.
2. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai 600 003.
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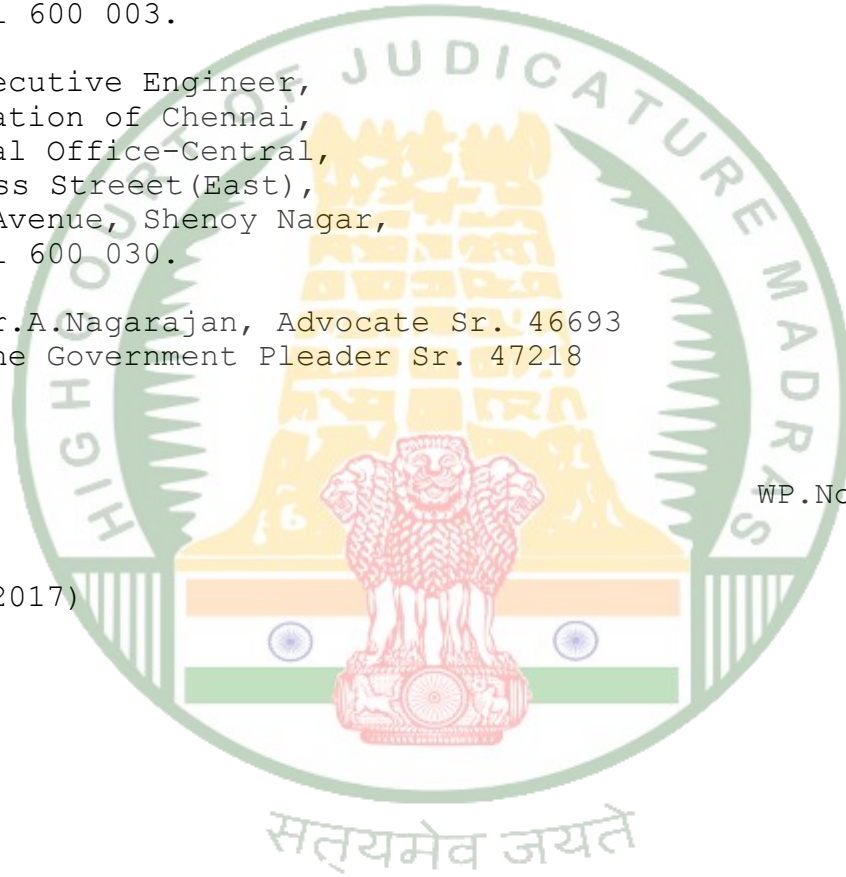
+1cc to Mr.A.Nagarajan, Advocate Sr. 46693

+1cc to the Government Pleader Sr. 47218

AR(V)

VR(21/07/2017)

WP.No.12508/2017



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