

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.36886 of 2015
and M.P.No.2 of 2015

G.C.Mallika

... Petitioner

-Vs-

1. Director of Town and Country Planning,
No.807, Anna Salai, Chennai-2.
2. Deputy Director of Town and Country
Planning, Salem Zone,
No.6, Sanathi Street,
Subramanian Nagar, Salem.
3. Member Secretary / Commissioner (inc)
Local Planning Authority,
Gobichettipalayam Municipality,
Gobichettipalayam.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records relating to the order of the 3rd respondent dated 27.10.2015 in proceedings Na.Ka.No.2353/2007/f1 and quash the same.

For Petitioner : Mr.K.Sudhakar
for Mr.N.Chinnaraj

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader
for RR 1 and 2
: Mr.R.Lakshmi Narayanan for R-3

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner, after obtaining permission for office purpose, actually constructed a marriage hall. It is the claim of the petitioner that she subsequently applied for approval of the violations.

2.It is now stated before us on affidavit by the second respondent / the Deputy Director of Town and Country Planning, that the Commissioner of the Gobichettipalayam Municipality vide proceedings dated 23.12.2015 communicated to the second respondent in respect of the request of the petitioner for approval. However, on scrutinising the papers, it was found that only the plan had been received and not the other related documents. The said proposal was, thus, returned with liberty to make an appeal before the Director of Town and Country Planning / the first respondent, vide communication dated 03.02.2016.

3.In view thereof, it is for the petitioner to avail of the appellate remedy and thus, there is no requirement to interfere through the process in the present writ petition.

Writ petition is, accordingly, dismissed. No costs. Consequently, M.P.No.2 of 2015 is also dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Director of Town and Country Planning,
No.807, Anna Salai,
Chennai-2.
2. The Deputy Director of Town and Country
Planning, Salem Zone,
No.6, Sanathi Street,
Subramanian Nagar, Salem.
3. The Member Secretary / Commissioner (inc)
Local Planning Authority,
Gobichettipalayam Municipality,
Gobichettipalayam.

+lcc to Mr.R.Lakshmi Narayanan, Advocate, S.R.No.7834

+lcc to the Government Pleader, S.R.No.7857

W.P.No.36886 of 2015

UG(CO)

CA(16/02/2017)