

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 24.08.2017****CORAM :**

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.13762 of 2014
and
M.P(MD)No.1 of 2014**

R.J.Senthil

... Petitioner

Vs.

The Member Secretary,
Tuticorin Local Planning Authority,
No.51, West Car Street,
Tuticorin.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the respondent in his proceedings Na.Ka.No.172/2014 Thu.Vu.The.Ku dated 03.06.2014 and the consequential impugned order in Na.Ka.No.172/2014 Thu.Vu.The.Ku dated 28.07.2014 and quash the same as illegal and in violation of provision of Tamil Nadu Town and Country Planning Act 1971.

For Petitioner : Mr.B.Saravanan

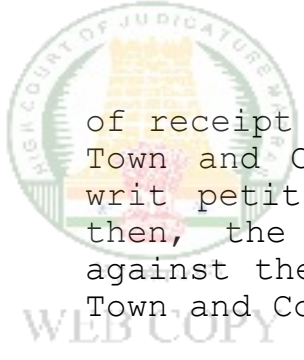
For Respondent : Mr.M.Govindan, Spl.Govt.Pleader

O R D E R**(Order of the Court was made by G.R.SWAMINATHAN, J.)**

The writ petitioner is aggrieved by the proceedings dated 03.06.2014 and 28.07.2014 issued by the respondent under Sections 56 and 57 of Tamil Nadu Town and Country Planning Act 1971 proposing to lock and seal the writ petitioner's premises.

2.The said proceedings were issued on the premise that the writ petitioner's construction falls within the coastal regulation zone. Now the writ petitioner has obtained clearance from the competent authority vide proceedings dated 14.08.2015. Therefore, there can be no impediment for the authorities to consider the revised application submitted by the writ petitioner, which is still pending with the respondent.

3.The respondent is directed to forward the same to the Director of Town and Country Planning within one week from the date



of receipt of a copy of this order. On such receipt, the Director of Town and Country Planning, Chennai is directed to dispose of the writ petitioner's application within four weeks thereafter. Till then, the respondent herein shall not take any coercive action against the writ petitioner under Sections 56 and 57 of Tamil Nadu Town and Country Planning Act 1971.

4.This writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

The Member Secretary,
Tuticorin Local Planning Authority,
No.51, West Car Street,
Tuticorin.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.75083
+1cc to Mr.B.SARAVANAN Advocate in SR. No. 75168

SKM/ARUL

JS/KP/SAR.2/13.09.2017/2P-4C

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