



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Third day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.SELVAM

The Hon`ble Mr.Justice N.AUTHINATHAN

WMP(MD) No.3940 of 2017

IN

WP(MD) No.1665 of 2017

HARIHARASUDHAN

... PETITIONER/5th RESPONDENT

Vs

1 K.SHANMUGASUNDARAM

..RESPONDENT/PETITIONER IN WP 1665/2017

2 THE DIRECTOR

CITY TOWN PLANNING AUTHORITY

807 ANNA SALAI

CHENNAI 02

3 THE DISTRICT COLLECTOR

MADURAI DISTRICT MADURAI.

4 THE COMMISSIONER

MADURAI CORPORATION MADURAI.

5 THE EXECUTIVE MEMBER(INCHARGE)

MADURAI TOWN PLANNING AUTHORITY

MADURAI.

... RESPONDENTS/RESPONDENTS 1 TO 4

PRAYER IN WMP(MD) No.3940 of 2017:

To appoint an Advocate Commissioner in order to ascertain whether Hotel Gowri Krishna, Bye-pass Road, S.S.Colony, Madurai has provided parking place

Prayer in WP(MD). 1665/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents 3 and 4 to complete the proceeding by taking suitable action against the 5th respondent by virtue of proceedings in Na.Ka.No.1046/2016/Mathi 5 dated 24.08.2016 under the Provision of Tamilnadu Town Planning Act, 1971.

ORDER : This petition coming on for hearing on this day, upon perusing the petition and affidavit and material papers of this petition and upon hearing the arguments of Mr.Ajmalkhan, Senior Advocate for Mr.M.S.SURESHKUMAR, Advocate for the petitioner and of



Mr.M.Ramar, for the first respondent and of Mr.M.Govindan Special Government Pleader for the respondents 1,2 and 4, this court made the following order:-

This petition has been filed praying to appoint an Advocate Commissioner for the purpose mentioned therein.

2.It is averred in the petition that the petitioner has been arrayed as fifth respondent in W.P(MD)No.1665 of 2017. Further it is averred in the petition that proper place has been set apart as parking place and for the purpose of noting down the physical features, the present petition has been filed.

3.Considering the reason given in the petition, this Court is inclined to pass the following order.

4.In fine, this petition is allowed. Advocate Mr.T.Kanakaraj (2994/16), No.84, Law Chambers, High Court Buildings, Madurai, Cell No.75020 87370 is appointed as Commissioner and his fee is fixed at Rs.5,000/- [Rupees five thousand only] and the same should be paid directly by the petitioner. The Advocate Commissioner is directed to inspect the place mentioned in the petition after giving prior notice to all the parties and also directed to note down the parking place and submit his Report and Plan by 24.04.2017.

sd/-

Assistant Registrar(AD-II)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DIRECTOR
CITY TOWN PLANNING AUTHORITY
807 ANNA SALAI, CHENNAI 02.
- 2 THE DISTRICT COLLECTOR
MADURAI DISTRICT MADURAI.
- 3 THE COMMISSIONER
MADURAI CORPORATION MADURAI.
- 4 THE EXECUTIVE MEMBER(INCHARGE)
MADURAI TOWN PLANNING AUTHORITY
MADURAI.
- 5 MR.T.KANAGARAJ (2994/16)
ADVOCATE COMMISSIONER
84,LAW CHAMBERS
HIGH COURT BUILDINGS
MADURAI. CELL NO.7502087370



+1 CC TO MR.M.RAMU, ADVOCATE, SR NO.19425

+1 CC TO MR.S.MANOCHARAN, ADVOCATE, SR NO.18919

ORDER DATE :03/04/2017

HEARING DATE :24/04/2017

WEB COPY

WMP (MD) No.3940 of 2017

IN

WP (MD) No.1665 of 2017

GIVING DIRECTIONS ETC., AS
STATED WITHIN

MAS/MR/SAR4:06.04.2014:3P-8C