



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.18350 of 2017

and

W.M.P (MD) No.14801 of 2017

N.Deepa

...Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner, Madurai Corporation,
Madurai.

3. The Assistant Commissioner,
Madurai Corporation Zone - 1, Madurai. ... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to consider and pass orders on the revised plan and retention application submitted by the petitioner on 19.09.2017, taken on file of the third respondent in M1A7/7788/2017, dated 20.09.2017 within the time that may be stipulated by this Court and consequently forbear the respondents from taking any coercive action against the petitioner's premises in furtherance of their proceedings in M1A3/2663/2017, dated 18.09.2017 till the final determination on the revised plan.

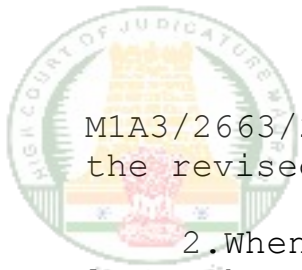
For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.R.Velmurugan,
Government Advocate for R1
Mr.Prabhu Ramachandran for R2 & R3

O R D E R

(Order of the Court was made by K.KALYANASUNDARAM, J.)

This writ petition is filed for issuance of a Writ of Mandamus, to direct the respondents 2 and 3 to consider and pass orders on the revised plan and retention application submitted by the petitioner on 19.09.2017, taken on file of the third respondent in M1A7/7788/2017, dated 20.09.2017 within the time that may be stipulated by this Court and consequently forbear the respondents from taking any coercive action against the petitioner's premises in furtherance of their proceedings in



M1A3/2663/2017, dated 18.09.2017, till the final determination on the revised plan.

2. When the writ petition was taken up for final disposal, the learned counsel appearing for the writ petitioner submitted that while putting up construction pursuant to the approval given by the Madurai Corporation, certain deviations have been committed. When rectifying the same, revised plan has been submitted under Section 49 of Tamil Nadu Town and Country Planning Act, 1971 to the Local Planning Authority, Madurai.

3. Since the writ petitioner has already taken steps for regularising the deviations by submitting the revised plan to the appropriate authority, we direct the third respondent to dispose of the revised plan said to have been submitted by the writ petitioner within two months from the date of receipt of a copy of this order. The respondents 2 and 3 shall not give effect to the proceedings in M1A7/7788/2017, dated 20.09.2017, till a decision is taken on the revised plan.

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

Sd/-

Assistant Registrar(vacation officer)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Madurai District,
Madurai.

+1cc to Mr.Mr.Prabhu Ramachandran, Advocate Sr.No.81301
+1cc to M/s. Ajmal Associates, Advocate Sr.No.81197

SKM/ARUL

VB/MR/KKR/SAR1/28/09/2017/2P/4C

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and

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