



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.5691 of 2017

and

W.M.P (MD) No.4535 of 2017

T.E.S.Naina Mohamed

.. Petitioner

Vs.

1.The Chairman/District Collector,
Tirunelveli Local Planning Authority,
Tirunelveli District,
Tirunelveli.

2.The Member Secretary (In-charge),
Tirunelveli Local Planning Authority,
108, Tiruvanadapuram Road,
Tirunelveli.

3.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in Na.Ka.No.297/2017/Thi U Thi Ku dated 10.03.2017 and quash the same as illegal and consequently direct the second respondent to accord permission for the revised plan application submitted by the petitioner on 07.03.2017 under Section 49 of the Tamil Nadu Town and Country Planning Act, 1971 on merits and in accordance with law.

For Petitioner : Mr.M.E.Ilango

For RR 1 & 2 : Mr.M.Govindan,
Special Government Pleader.

For R - 3 : Mr.Aayiram K.Selvakumar

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the impugned order, dated 10.03.2017 passed in Na.Ka.No.297/2017/Thi U Thi Ku by the second respondent and quash the same and also for



directing the second respondent to accord permission on the basis of revised plan application submitted by the petitioner on 07.03.2017, by way of issuing a Writ of Certiorarified Mandamus.

2.The learned counsel appearing for the petitioner has sparingly contended to the effect that after receipt of impugned order dated 10.03.2017, on 13.06.2017 a revised plan has been submitted to the second respondent.

3.The learned Special Government Pleader appearing for the respondents 1 and 2 has contended to the effect that after receipt of revised plan, the same has to be submitted to the Director of Town and Country Planning, Chennai.

4.Considering the aforesaid factual circumstances, this Court is inclined to pass the following order.

5.In fine, the second respondent is directed to take appropriate action on the basis of the revised plan dated 13.06.2017 within a period of four weeks. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

To

- 1.The Chairman/District Collector,
Tirunelveli Local Planning Authority,
Tirunelveli District,
Tirunelveli.
- 2.The Member Secretary (In-charge),
Tirunelveli Local Planning Authority,
108, Tiruvanadapuram Road,
Tirunelveli.
- 3.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

+1cc to Mr.Aayiram K.Selvakumar Advocate in SR. No.62275

+1cc to M/s.M.E.ILANGO Advocate in SR.NO.62448

PS

JS/SKN.RSK/SAR.3/4.7.2017/2P-6C

**ORDER MADE IN
W.P(MD)No.5691 of 2017
28.06.2017**