



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.6215 of 2017
and
W.M.P(MD)No.4915 of 2017

S.Jegadeesan

.. Petitioner

Vs.

- 1.The Chairman/Secretary,
The Empowered Committee,
Office of the Director of Town and Country Planning,
807, Anna Salai, Chennai.
- 2.The Director,
Office of the Director of Town and Country Planning,
807, Anna Salai, Chennai.
- 3.The Member Secretary,
The Local Planning Authority,
Tirunelveli District, Tirunelveli.
- 4.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 Mandamus forbearing the respondents from taking any further action on the basis of the notification of the third respondent in Na.Ka.No.1521/2009(TLPA) dated 07.03.2017.

For Petitioner : Mr.T.Selvan

For Respondents 1 to 3 : Mr.M.Govindan,
Special Government Pleader.

For Respondent No.4 : 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 direct the respondents not to take any further action on the basis of notification issued by the third respondent in Na.Ka.No.1521/2009(TLPA) dated 07.03.2017, by way of issuing a writ of mandamus.



2.The learned counsel appearing for the petitioner has contended to the effect that even without giving sufficient opportunity, the third respondent has issued the impugned notification and under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3.The learned Special Government Pleader appearing for the respondents 1 to 3 has represented to the effect that the petitioner has already preferred an appeal and the same is pending on the file of the first respondent. Further the complex of the petitioner has already been locked and sealed.

4.Considering the aforesaid factual circumstances mentioned on the side of the respondents 1 to 3, the relief sought in the writ petition has become infructuous and therefore the present writ petition deserves to be dismissed.

5.In fine, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Chairman/Secretary,
The Empowered Committee,
Office of the Director of Town and Country Planning,
807, Anna Salai, Chennai.
 - 2.The Director,
Office of the Director of Town and Country Planning,
807, Anna Salai, Chennai.
 - 3.The Member Secretary, The Local Planning Authority,
Tirunelveli District, Tirunelveli.
 - 4.The Commissioner,
Tirunelveli City Municipal Corporation, Tirunelveli.
- +One cc to Mr.T.Selvan, Advocate, SR.No.52351
+One cc to Mr.Aayiram K.Selvakumar, Advocate, SR.No.52377
+One cc to The Special Government Pleader, SR.No.52496

smn

RL/8C/2P/SV/MMS/24.4.2017

ORDER MADE IN
W.P (MD) No.6215 of 2017
and

W.M.P (MD) No.4915 of 2017