



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.05.2017

CORAM:

THE HON'BLE Mr.JUSTICE M.V.MURALIDARAN
and

THE HON'BLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) Nos.9783 to 9785 of 2017

and

W.M.P. (MD) Nos.7496 to 7499 of 2017

W.P. (MD) Nos.9783 and 9784 of 2017:

S.Radhamani

... Petitioner
in both petitions

Vs.

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Member Secretary,
Thoothukudi Local Planning Authority,
No.51, Melaratha Vethi,
Thoothukudi.

... Respondents
in both petitions

W.P. (MD) No.9785 of 2017:

T.Bakkialakshmi

...Petitioner

Vs.

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Member Secretary,
Thoothukudi Local Planning Authority,
No.51, Melaratha Vethi,
Thoothukudi.

...Respondents

PRAYER for W.P. (MD) Nos.9783 to 9785 of 2017: Petitions filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, to call for the records on the file of the second respondent herin in Na.Ka.No.358/2017 Thoo.Vu.Thi.Ku dated 27.04.2017 and quash the same as illegal, invalid and against the principles of natural justice.

For Petitioner in

all petitions : Mr.V.Illanchezhian

For Respondents in

all petitions : Mr.R.Karthikayen

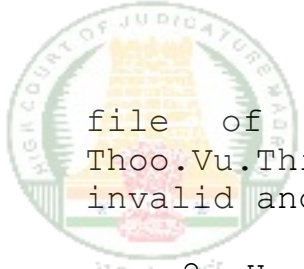
Additional Government Pleader

COMMON ORDER

(Order of the court was made by M.V.MURALIDARAN,J.)

<https://hcservices.ecourts.gov.in/hcservices/>

These writ petitions have been filed by the petitioners for issuance of a writ of Certiorari, to call for the records on the



file of the second respondent herein in Na.Ka.No.358/2017 Thoo.Vu.Thi.Ku dated 27.04.2017 and quash the same as illegal, invalid and against the principles of natural justice.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 and 2.

3. It is the case of the petitioners that in the year 2005, they have made constructions in their respective Survey Nos.51/2A, 4, 5, after obtaining necessary sanction from the Panchayat as per the Tamil Nadu District Municipalities Act. In the year 2011, after upgradation of Thoothukudi Municipality as Thoothukudi Corporation, the petitioners have paid necessary tax for the said buildings. However, suddenly, on 30.12.2016, the respondents have locked the premises of the petitioners on the ground that they have made constructions without getting proper permission from the second respondent under Section 49 of the Tamil Nadu Town and Country Planning Act 1971.

4. It is the further case of the petitioners that no notice under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act 1971, has been issued to the petitioners. Therefore, the petitioners have filed writ petitions in W.P(MD)Nos. 5395 to 5397 of 2017 before this Court. This Court by the order dated 28.03.2017, has directed the second respondent to dispose the petitioners' representations. Subsequent thereto, the second respondent has passed the impugned orders, which are under challenge in these writ petitions.

5. In view of the above, without going into the merits of the case, the petitioners are directed to furnish the required documents as directed in the impugned orders within a period of two weeks from the date of receipt of copy of this order. On the receipt of the same, the second respondent is directed to consider the same by giving personal opportunity to the petitioners and others and pass orders within a period of three months, thereafter. In the mean while, the respondents are directed to remove the lock and seal within a period of one week from the date of receipt of copy of this order.

6. These Writ Petitions stand disposed of with the above directions. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/



To:

1. The District Collector,
Thoothukudi District,
Thoothukudi.

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2. The Member Secretary,
Thoothukudi Local Planning Authority,
No.51, Melaratha Vethi,
Thoothukudi.

+3 CC to M/s. V. ILLANCHEZIAN, Advocate, SR No. 57796, 57797, 57798.

MRN/GNS/RR

PSM/SKN/SAR1/07.06.2017/3P/6C

W.P. (MD) Nos. 9783 to 9785 of 2017
26.05.2017