



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.8453 of 2013

and

M.P (MD) Nos.1 to 3 of 2013

S.S.Babulal

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Commissioner,
The Corporation of Madurai,
Madurai.

3.The Member Secretary,
Local Planning Authority,
Corporation Office,
Madurai.

... Respondents

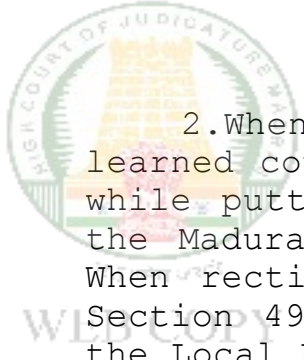
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the second respondent by his proceedings No.448/06/2012, dated 06.05.2013 and the consequential impugned proceedings issued by the third respondent by his impugned proceedings in Na.Ka.No.800/2012/Mathi.2, dated 10.05.2013 and quash the same as illegal and consequently direct the respondents to unlock and unseal the building belonging to the petitioner in Door.No.61, HIG, 80 Feet Road, Anna Nagar, Madurai forthwith.

For Petitioner : Mr.M.Mahaboob Athiff
For Respondents : Mr.M.Govindan,
Spl.Govt.Pleader for RR1 & 3
Mr.T.S.Md.Mohideen,
Addl.Govt. Pleader for R2

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

This writ petition is directed against the proceedings dated 06.05.2013 issued by the Commissioner, Madurai Corporation and the proceedings dated 10.05.2013 issued by the Member Secretary, Local Planning Authority, Madurai.



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 impugned in this writ petition 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 (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner, The Corporation of Madurai, Madurai.

3. The Member Secretary, Local Planning Authority,
Corporation Office, Madurai.

+1cc to Special Government Pleader, SR.No. 76648, 76243

W.P (MD) No. 8453 of 2013

and

M.P (MD) Nos. 1 to 3 of 2013

01.09.2017

SKM/ARUL

JM/JC/SAR 2/22.09.2017/2P/5C