

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN  
and  
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.25225 of 2018 and  
WMP No.29335 of 2018

R.Muthujayalakshmi

...Petitioner

-vs-

- 1.The Director of Town and  
Country Planning Department,  
No.807, Anna Salai, Chennai - 600 002.
- 2.The Member Secretary,  
Tiruppur Local Planning Authority,  
Tiruppur.
- 3.The Commissioner,  
Tiruppur City Municipal Corporation,  
Tiruppur.
- 4.The District Collector,  
Tiruppur District, Tiruppur.
- 5.N.Muthurajan

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to prohibit the 5th respondent from putting up illegal and unauthorised construction in the petitioner's property measuring to an extent of 0.40 cents situated in old T.S.No.1156, Now New T.S.No.J/17/64, Thottipalayam Village, Tiruppur District.

For Petitioner : Mr.S.Arjun

For Respondents : Mr.J.Pothiraj  
Special Govt.Pleader  
for R1, R2 and R4

O R D E R

[Order of the Court was made by  
K.K.SASIDHARAN, J.]

The learned counsel for the petitioner made an endorsement indicating that he is withdrawing the writ petition with liberty to file appropriate application before the District Munsif, Tiruppur, where the suit in O.S.No.634 of 1993 is pending against the 5th respondent.

2. The writ petition is dismissed as withdrawn with liberty. However, we make it clear that the expression "liberty" should not be construed to be an expression of opinion on the merits of the matter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

svki  
To

1.The Director of Town and  
Country Planning Department,  
No.807, Anna Salai, Chennai - 600 002.

2.The Member Secretary,  
Tiruppur Local Planning Authority,  
Tiruppur.

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

4.The District Collector,  
Tiruppur District, Tiruppur.

+1cc to Mr.S.Arjun, Advocate, S.R.No.66892

+1cc to the Government Pleader, S.R.No.66650

W.P.No.25225 of 2018

VD(CO)  
GSP(15/10/2018)