

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.28798 of 2018 and
WMP Nos.33643 of 2018

R.Sankaran

...Petitioner

-vs-

1.The District Collector,
Kanchipuram,
Kanchipuram District.

2.The Tahsildar,
Chengalpet,
Kanchipuram District.

3.The Commissioner,
Maraimalainagar Municipality,
Chengalpet Taluk,
Kanchipuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records relating to impugned order dated 16.10.2018 in Na.Ka.No.259/2018/A1 passed by the 3rd respondent and quash the same.

For Petitioner : Mr.V.R.Kamalanathan

For Respondents : Mr.J.Pothiraj
SPL.GP. FOR RR 1 TO 3

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O R D E R

[Order of the Court was delivered by
R.SUBRAMANIAN,J.]

By consent, the writ petition is taken up for final disposal during the time of admission.

2. Heard Mr.V.R.Kamalanathan, learned counsel for the petitioner and Mr.J.Pothiraj, learned Special Government Pleader on behalf of the respondents.

3. The challenge in this writ petition is to the order of the third respondent requiring the petitioner to remove the small bridge put up by him across the canal running in front of his property.

4. It is seen from the records that the petitioner has sought for permission and the Revenue Inspector, Kattangulathur recommended that the petitioner can be permitted to have a bridge over the canal to reach his property. However, no final decision appears to have been taken in the matter. The petitioner is now slapped with the impugned notice under the Tamil Nadu District Municipalities Act. Hence, the present writ petition.

5. We direct the petitioner to submit an application seeking permission to retain the structure put up by him within a period of one week from today. The third respondent is directed to consider the said application in the light of the recommendation made by the Revenue Inspector and pass appropriate orders within a period of four weeks thereafter. Till orders are passed on the representation, the impugned order shall be kept in abeyance.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.
Svki

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Kanchipuram, Kanchipuram District.
- 2.The Tahsildar, Chengalpet,
Kanchipuram District.
- 3.The Commissioner,
Maraimalainagar Municipality,
Chengalpet Taluk, Kanchipuram District.

+1cc to Mr.V.R.Kamalanathan, Advocate S.R.No. 74689
+1cc to the Government Pleader, S.R.No. 75307

KR/9/11/18

W.P.No.28798 of 2018