

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.32883 of 2018

G.Komala

.. Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Sub Collector,
Kancheepuram District,
Kancheepuram.

3.The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai - 600 045.

4.The Executive Officer,
Perungalathur Town Panchayat,
Perungalathur,
Chennai - 600 063.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, forbearing the respondents not to interfere with the running the business peacefully by the petitioner's son at Plot Nos.19 and 20, Vasantham Avenue, No.134, Perungalathur Village, Tambaram Taluk, Kancheepuram District, till obtaining planning approval from the concerned authorities.

For Petitioners

: Mrs.Rita Chandrasekar
for M/s.A.Rizwan Sheriff

O R D E R
(Order of the Court was made by M.DURAISWAMY,J.)

The petitioner has filed the above writ petition to issue a Writ of Mandamus forbearing the respondents not to interfere with the running of business peacefully by the petitioner's son at Plot Nos.19 and 20, Vasantham Avenue, No.134, Perungalathur Village, Tambaram Taluk, Kancheepuram District till obtaining the planning approval from the concerned authorities.

2. Admittedly, the fourth respondent has issued stop work notice dated 29.11.2018 under Section 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971 to the petitioner. In spite of petitioner having remedy by way of an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, the petitioner has approached this Court by way of writ petition under Article 226 of the Constitution of India.

3. When the petitioner has got efficacious remedy by way of appeal as against the notice dated 29.11.2018 issued under Section 56 and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, we are not inclined to entertain the writ petition.

4. In this view of the matter, the writ petition is liable to be dismissed. Accordingly, the writ petition is dismissed. No costs. Consequently, W.M.P.No.38099 of 2018 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Sub Collector,
Kancheepuram District,
Kancheepuram.

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3.The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai - 600 045.

4.The Executive Officer,
Perungalathur Town Panchayat,
Perungalathur,
Chennai - 600 063.

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ssm(27/12/18)



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