



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twenty Fifth day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and
The Hon`ble Mrs.Justice R.THARANI

REV.APLW(MD) No.14 of 2018
in W.P.(MD)No.2822 of 2018
and
WMP(MD)No.7566 of 2018

A.AMAL ANTONY

... APPLICANT / 3rd RESPONDENT

Vs

1 T.V.AANAND

... 1st RESPONDENT / PETITIONER

2 MEMBER SECRETARY/ ASSISTANT DIRECTOR,
TIRUCHIRAPPALLI LOCAL PLANNING AUTHORITY,
TIRUCHIRAPPALLI - 620 001.

3 THE COMMISSIONER,
TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION,
TIRUCHIRAPPALLI - 620 001.

... RESPONDENTS / RESPONDENTS

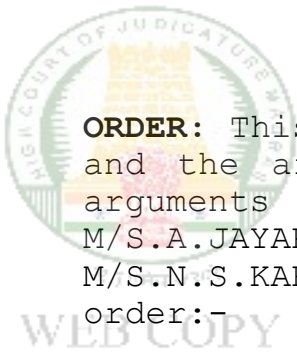
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to review the judgment dated 13.02.2018 in W.P(MD) No. 2822 of 2018.

Prayer in WP(MD) . 2822/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for the records culminated in the proceedings in the impugned order in Rc.No.206/2018 (TLPA-2) dated 06.02.2018 on the file of the 1st respondent and quash the same as illegal, unenforceable, ultravires without authority, without jurisdiction.

Prayer in WMP(MD) . 7566/ 2018 :

To pass an interim order of injunction restraining the 1st Respondent from putting up further construction in T.S.No. 8/2M, Ward AB, Block NO. I, Door No. 30, 30A and 30B State Bank officers Colony, Jawsons Road, Ponmalai Zone, Trichy City Corporation, Tamil Nadu pending disposal of this Writ Petition.



ORDER: This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.SIVABALAN, Advocate for the petitioner and of M/S.A.JAYAKUMAR, Additional Government Pleader for R1 and of M/S.N.S.KARTHIKEYAN, Advocate for R3 the court made the following order:-

(Order of the Court was made by T.S.SIVAGNANAM, J.)

As directed by this Court, in its order dated 08.06.2018, the respondents have filed their respective reports, copies of which have been served on the learned counsel for the review petitioner.

2. The Registry is directed to forward a copy for my perusal to the Principal Bench.

3. It is pointed out by the learned counsel appearing for the first respondent / writ petitioner that on a *prima facie* reading of the report shows that there are buildings put up without planning permission, buildings in total violation of the building plan approval, additional constructions without planning permission and the respondent Corporation has not taken any action, except to issue a notice and no steps were taken to lock and seal the building and in some cases, meager fine has been collected and parties have been left off.

4. If the submission made by the learned counsel for the first respondent / writ petitioner is correct, then we do not appreciate the manner in which the Corporation Authorities have dealt with such offending construction. Therefore, the third respondent / Commissioner, Tiruchirappalli City Municipal Corporation, shall file a clear report, as regards the action taken in respect of the totally unauthorized constructions, constructions made in violation of approval plan and additional constructions without planning permission. This report should be filed on the next hearing date.

5. List the matter on 29.06.2018, without video conferencing.

sd/-
25/06/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 MEMBER SECRETARY/ ASSISTANT DIRECTOR,
<https://hcservices.ecourts.gov.in/hcservices/>
TIRUCHIRAPPALLI LOCAL PLANNING AUTHORITY,
TIRUCHIRAPPALLI - 620 001.



2 THE COMMISSIONER,
TIRUCHIRAPPALI CITY MUNICIPAL CORPORATION,
TIRUCHIRAPPALLI - 620 001.

WEB COPY

COPY TO : THE REGISTRAR JUDICIAL,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+3. C.C. to M/S.K.SIVABALAN Advocate SR.No.11367, 11751
+1. C.C. to M/S.SHANGAR MURALI Advocate SR.NO.11762

ORDER
IN
REV.APLW(MD) No.14 of 2018
in W.P.(MD)No.2822 of 2018
and WMP(MD)No.7566 of 2018
Date :25/06/2018

PK/CM/SAR-1/26.06.2018 : 2P/8C