



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Second day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SUBBIAH
and
The Hon`ble Mrs.Justice R.THARANI

WMP(MD) No.14106 of 2018
IN
WP(MD) No.8217 of 2018

E.SENTHIL ... PETITIONER/5th PROPOSED RESPONDENT/
3rd PARTY

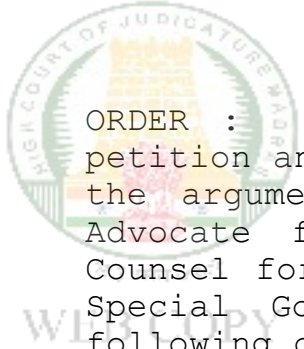
Vs

- 1 S.SRIDHAR ... RESPONDENT/WRIT PETITIONER
- 2 THE GOVERNMENT OF TAMIL NADU,
REP. BY ITS CHIEF SECRETARY,
FORT ST.GEORGE, CHENNAI 9. ... RESPONDENT/RESPONDENT NO.1
- 3 THE COMMISSIONER,
DIRECTORATE OF TOWN AND COUNTRY PLANNING,
OPPOSITE TO CIC CHENGALVARAGAN BUILDING,
FOURTH FLOOR, 807, ANNA SALAI,
CHENNAI 02. ... RESPONDENT/RESPONDENT NO.2
- 4 THE DISTRICT COLLECTOR/CHAIRMAN,
MADURAI LOCAL PLANNING AUTHORITY,
MADURAI. ... RESPONDENT/RESPONDENT NO.3
- 5 THE MEMBER SECRETARY,
MADURAI LOCAL PLANNING AUTHORITY,
MADURAI. ... RESPONDENT/RESPONDENT NO.4

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to implead the Petitioner/Proposed Respondent as Respondent No.5 in the above WP(MD). No.8217 of 2018 on the file of this Hon`ble Court.

PRAYER IN WP(MD) No.8217 of 2018:

To issue a writ of Certiorari calling for the records relating to the impugned notice dated 11.04.2018 passed by the respondents 3 and 4 in Na.Ka.No.227/2016/Mathi 2 issued under Section 56 (2A) and 57 (1) under Tamil Nadu Town and Country Planning Act, 1971 and quash the same.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.ROPERT J.BARNABAS, Advocate for MR.N.ILANGO, Advocate for the petitioner and of M/S.N.KRISHNA VENI, Senior Counsel for MR.P.THIYAGARAJAN, Advocate for R1 and MR.R.SETHURAMAN, Special Government Pleader for R2 to R5, the court made the following order:-

[Order of the Court made by R.SUBBIAH,J.]

This Writ Miscellaneous Petition has been filed to implead the petitioner herein as respondent No.5 in the Writ petition in W.P. (MD)No.8217 of 2018.

2.The learned counsel for the petitioner herein submitted that based on the complaint of the petitioner herein, the respondents 3 and 4 have passed the impugned order. Therefore, the petitioner herein is the proper and necessary party to the Writ petition.

3.The learned counsel for the Writ petitioner has opposed this impleading petition stating that in the affidavit of the impleading petition, the proposed respondent has given certain wrong information.

4.In this petition, we are not going to decide the merits of the matter. Even according to the Writ petitioner, the impugned order is passed based on the complaint of the proposed respondent. Considering the submissions made on either side, this impleading petition is allowed. Registry is directed to carry out necessary amendment and post this matter on 21.12.2018.

5.Interim order already granted is extended till then.

sd/-
22/11/2018

/ TRUE COPY /

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

TO

1 THE GOVERNMENT OF TAMIL NADU,
REP. BY ITS CHIEF SECRETARY,
FORT ST.GEORGE, CHENNAI 9.

2 THE COMMISSIONER,
DIRECTORATE OF TOWN AND COUNTRY PLANNING,
OPPOSITE TO CIC CHENGALVARAGAN BUILDING,
FOURTH FLOOR, 807, ANNA SALAI,
CHENNAI 02.



3 THE DISTRICT COLLECTOR/CHAIRMAN,
MADURAI LOCAL PLANNING AUTHORITY,
MADURAI.

4 THE MEMBER SECRETARY,
MADURAI LOCAL PLANNING AUTHORITY,
MADURAI.

+1 cc to Special Government Pleader, SR.No. 22110

ORDER
IN
WMP (MD) No.14106 of 2018
IN
WP (MD) No.8217 of 2018
Date :22/11/2018

JM/MMS/SAR 3/14.12.2018/3P/6C