



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD)No.19345 of 2017

and

W.M.P. (MD)Nos.15659 and 15660 of 2017

and

W.M.P. (MD)No.2696 of 2018

D.Silambu Selvi

... Petitioner

-Vs-

1. The Commissioner,
Tirunelveli City Municipal Corporation,
S.N.High Road,
Tirunelveli.

2. The Assistant Commissioner,
Melappalayam Ward Office,
Melappalayam,
Tirunelveli.

3. The Member Secretary,
Tirunelveli Local Planning Authority,
Tirunelveli-2.

4. The Executive Engineer,
Tirunelveli City Municipal Corporation,
S.N.High Road,
Tirunelveli.

5.Thomas Ramesh

6.Nirmala Mery Jesudass

7.Vivek Paul

... Respondents

(R5 to R7 are impleaded vide Court order dated 23.01.2018 in W.M.P. (MD)No.16728 of 2017)R5 to 7 rep by their P/A Mr.Chandra Nahum.

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the fourth respondent in Na.Ka.No.TP3/8176/2015 dated 05.10.2017 and quash the same and direct the respondents to permit the petitioner to continue her construction work in Survey Number 44/4B, Kulavanigar Puram Village, Tirunelveli admeasuring 34 cents.

For Petitioner

: Mr.T.Selvan

For R1 to R4

: Mr.Aayiram K.Selvakumar,
Additional Government Pleader.

<https://hcservices.ecourts.gov.in/hcservices/>

For R5 to R7

: Mr.V.Meenakshi Sundaram

**ORDER**

When the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that already the Local Planning Authority has issued a notice dated 15.09.2017 under Sections 56 and 57 of Tamil Nadu Town and Country Planning Act, 1971. The above notice has not been challenged by the petitioner and it is only a consequential notice issued by the Corporation.

2.In these circumstances, the learned counsel for the petitioner wants to withdraw the writ petition with liberty to file an appeal against the order dated 15.09.2017 issued by the Local Planning Authority under Sections 56 and 57 of Tamil Nadu Town and Country Planning Act, 1971.

3.In the above circumstances, this writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner,
Tirunelveli City Municipal Corporation,
S.N.High Road,
Tirunelveli.
2. The Assistant Commissioner,
Melappalayam Ward Office,
Melappalayam,
Tirunelveli.
3. The Member Secretary,
Tirunelveli Local Planning Authority,
Tirunelveli-2.
4. The Executive Engineer,
Tirunelveli City Municipal Corporation,
S.N.High Road,
Tirunelveli.

+1cc to Mr.T.Selvan, Advocate sr.No.48077

+1cc to Mr.Aayiram K.Selvakumar, Advocate Sr.No.48153

+1cc to Mr.D.Nalla Thambi, Advocate Sr.No.47931

+1cc to The Spl. Government Pleader Sr.No.48638

MYR

VB/SKN/RSK/SAR2/27.02.2018/2P/9C