



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

AND

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

WA.[MD].No.967 of 2013

and

M.P.[MD].No2 of 2013

in

M.P.[MD].No.3 of 2012

in

W.P.[MD].No.8380 of 2012

The Member Secretary,
Madurai Local Planning Authority,
Madurai.

.. Appellant/Respondent

Vs.

A.Kuberan

... Respondent/Petitioner

PRAYER: Appeal is filed under Clause 15 of the Letter Patent Act, to set aside the order of the learned single Judge of this Court, dated 15.03.2012 in M.P.[MD].No.3 of 2012 in W.P.(MD)No.8380 of 2012.

Prayer in MP(MD). 3/ 2012 in WP(MD).8380/2012 :

To direct the respondent to issue the planning permission pursuant to the application submitted on 31/01/2012 by the petitioner herein forthwith without insisting to hand over the earmarked portion for proposed OSR (269.20 sq.mt), as gift as per the order in Na.Ka. No.175/12/Mathi dated 15/03/2012 of the respondent to enable the petitioner to carry on the construction pending disposal of the above Writ petition.

Prayer in WP(MD). 8380/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS, to call for the records in proceedings in Na.Ka.No.175/12/Mathi 2, dated 15-03-2012, on the file of the Respondent, with respect to the special condition clause 1 and quash the same as illegal, incompetent, unconstitutional and without jurisdiction and further direct the Respondent to issue of permission to the proposed construction of the building and for consequential orders.



For Appellant

: Mr.C.M.Mari Chelliah Prabhu
Special Government Pleader

For Respondent

: Mr.S.Ramesh
for Mr.V.Raghavachari

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JUDGEMENT

[Judgement of the Court was delivered
by K.RAVICHANDRABAABU, J]

This Writ Appeal is filed against the interim order passed in the writ petition in W.P.[MD].No.8380 of 2012.

2. Today, when the matter is taken up for final disposal, it is represented by the learned counsel appearing for the respondent that the main writ petition itself was disposed of, on 21.04.2015. Therefore, nothing survives in this Writ Appeal to be adjudicated upon further.

3. Accordingly, the Writ Appeal is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/
Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To
The Member Secretary,
Madurai Local Planning Authority,
Madurai.

WA.[MD].No.967 of 2013
and
M.P.[MD].No2 of 2013

sjj
KK/KKR/11.05.2018/SAR-2/2P-2C