

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.3522 of 2019

Akila Begum

.. Petitioner

-vs-

- 1.The Principal Secretary,  
Housing and Urban Development,  
3rd Floor, Secretariat,  
Fort St. George,  
Chennai - 600 009.
- 2.The Commissioner,  
Director of Town and Country Planning,  
801, Anna Salai,  
Chennai - 600 002.
- 3.The Deputy Director,  
Town and Country Planning,  
83, Pidamanari Road,  
Appavu Nagar,  
Dharmapuri.
- 4.The District Collector,  
Krishnagiri,  
Krishnagiri District.

5.The President,  
Soolagiri Village Panchayat,  
Krishnagiri.

6.The Block Development Officer,  
Soolagiri Panchayat,  
Soolagiri - 636 117,  
Krishnagiri.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records of the impugned order bearing Ref.No.Na.Ka.No.963/2015/Tha.Ma, dated 31.01.2019 passed by the third respondent and quash the same.

For Petitioner : Mr.M.D.Thirunavukkarasu

For Respondents : Mr.S.Kamalesh Kannan  
Government Advocate

**ORDER**

(Order of the Court was made by M.Duraiswamy, J.)

The petitioner has filed the above writ petition to issue a Writ of Certiorari to call for the records of the impugned order bearing reference Na.Ka.No.963/2015/Tha.Ma, dated 31.01.2019 passed by the third respondent and quash the same.

2. On a careful consideration of the materials available on record, it could be seen that the third respondent had issued the

impugned notice dated 31.01.2019 under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971.

3. Since the petitioner has got remedy by way of appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, the writ petition filed under Article 226 of the Constitution of India cannot be entertained.

4. In view of the above, we are not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. It is open to the petitioner to file an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 before the Appellate Authority in accordance with law. No costs. Consequently, W.M.P.No.3828 of 2019 is closed.

सत्यमेव जयते

(V.K.T., CJ.)

(M.D., J.)

07.02.2019

Index : Yes/No  
Internet : Yes  
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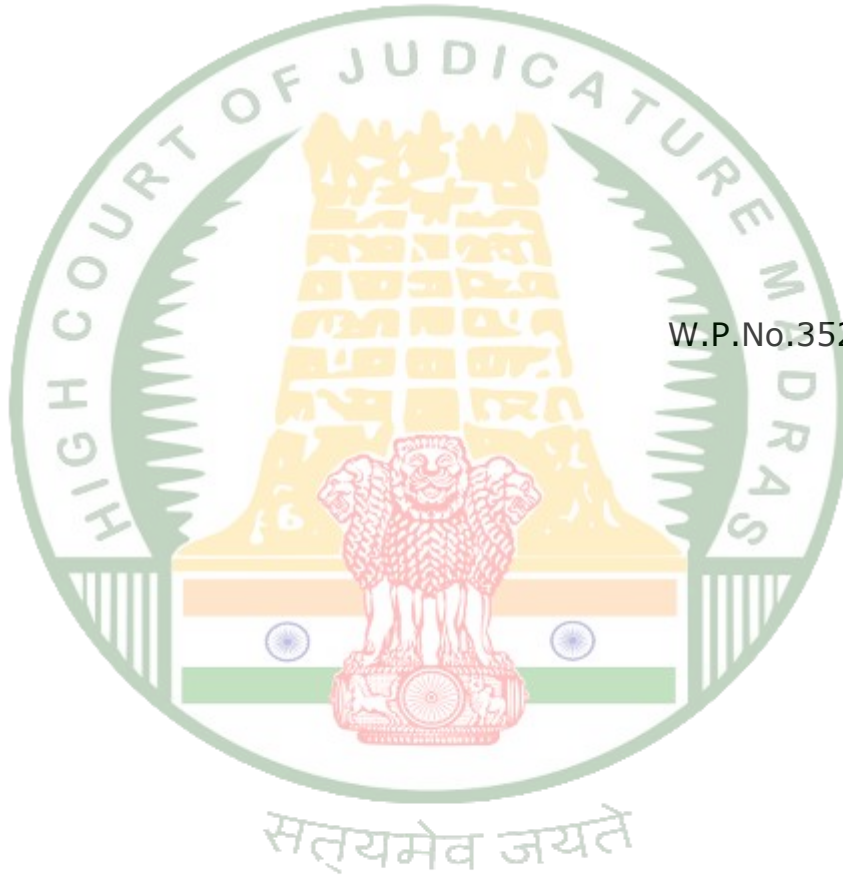
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The Hon'ble Chief Justice  
and  
M.Duraiswamy, J.

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