

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.3840 of 2019

A.P.Ashok Kumar

.. Petitioner

-vs-

1.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai - 600 002.

2.The Assistant Engineer,
Division 58,
Ripon Buildings,
Chennai - 600 002.

3.The Assistant Executive Engineer,
Unit 14,
Ripon Buildings,
Chennai - 600 002.

4.The Executive Engineer,
Zone 5,
Ripon Buildings,
Chennai - 600 002.

.. Respondents

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Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records of the proceedings bearing Letter No.05/04332/2019 dated 04.01.2019 on the file of the respondents 2 to 4 and to quash the same as illegal and without jurisdiction.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.V.C.Selvasekaran

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner is seeking quashing of the notice dated 04.01.2019 issued by respondent Nos.2 to 4. The said notice is lock and seal and demolition notice, which has been issued to the petitioner under Section 57 read with Section 85 of the Town and Country Planning Act, 1971. The said notice mentions that there is an unauthorised construction put up by the petitioner at Door No.19/123, Poonamallee High Road, Chennai-3. It is further stated that the construction is carried out without planning permission as required under Section 49 of the Town and Country Planning Act, 1971.

2. Against the notice which is issued under Section 57 read with Section 85 of the Town and Country Planning Act, 1971, the petitioner has efficacious alternate remedy of preferring an appeal under Section 80-A of the said Act.

3. In this view of the matter, we are not inclined to interfere with the impugned notice and the petitioner is relegated to the remedy of preferring an appeal against the said notice.

4. The writ petition is dismissed. No costs. Consequently, W.M.P.No.4267 of 2019 is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bbr

To

1.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai - 600 002.

2.The Assistant Engineer,
Division 58,
Ripon Buildings,
Chennai - 600 002.

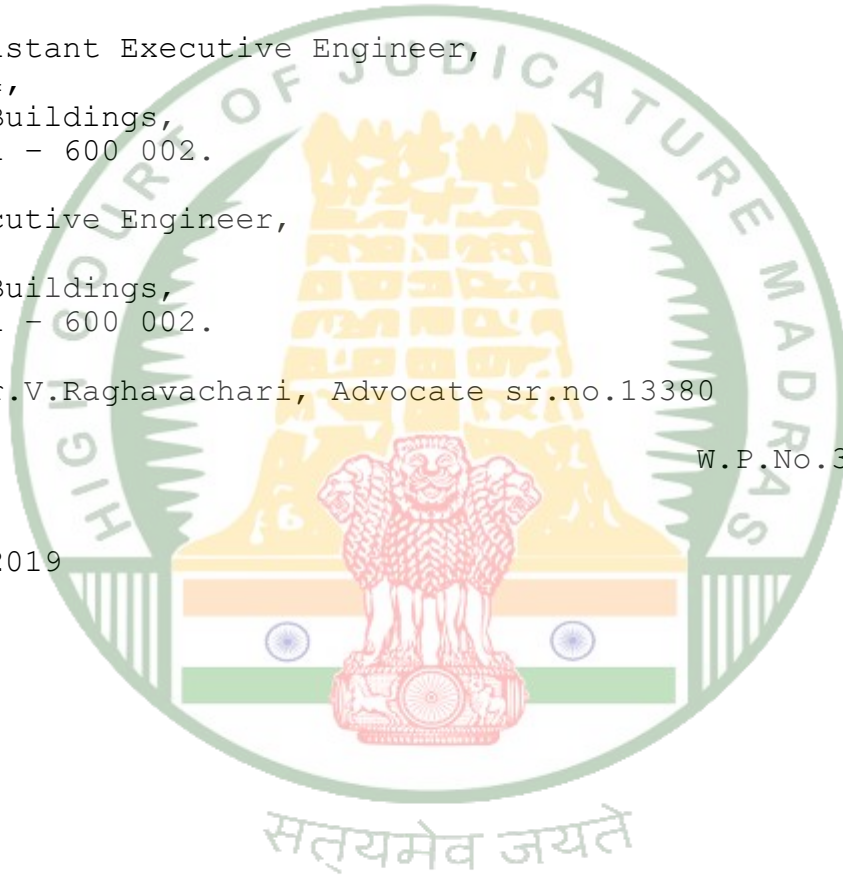
3.The Assistant Executive Engineer,
Unit 14,
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4.The Executive Engineer,
Zone 5,
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Chennai - 600 002.

+1cc to Mr.V.Raghavachari, Advocate sr.no.13380

W.P.No.3840 of 2019

vba(co)
nr 14/03/2019



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