

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.5221 of 2019
and W.M.P.No.5932 of 2019

R.Ganapathy .. Petitioner

-vs-

1.The Secretary to Government,
Municipal Administration Dept.,
Fort St. George, Chennai-9.

2.The Commissioner,
Pammal Municipality,
Pammal, Chennai 600 075.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records pertaining to the impugned order passed by the 2nd respondent in his proceeding Letter No.1999/2015/F1 dated 11.01.2019 and to quash the same as illegal.

For Petitioner : Mr.M.Bharath

For Respondents : Mr.S.Kamalesh Kannan
Govt. Advocate for R-1
: Mr.P.Srinivas
Stdg. Counsel for R-2

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O R D E R

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

Heard the learned counsel for the petitioner and Mr.S.Kamalesh Kannan, learned Government Advocate, who takes notice for respondent no.1 and Mr.P.Srinivas, learned Standing Counsel, who takes notice for respondent no.2.

2.The petitioner has challenged the notice dated 11.01.2019 issued under Section 56 and 57 read with 85 of the Tamil Nadu Town and Country Planning Act, 1971, which relates to unauthorised construction of premises in D.No.25, Rajiv Gandhi Nagar, Checkpost Street, situated at S.No.141/1A1A1A of Pammal Village. As against the said notice, there is an 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 and the petitioner is relegated to the remedy of preferring an appeal against the said notice.

The writ petition is disposed of with the above observation. No costs. Consequently, W.M.P.No.5932 of 2019 is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Secretary to Government,
Municipal Administration Dept.,
Fort St. George, Chennai-9.

2.The Commissioner,
Pammal Municipality,
Pammal, Chennai 600 075.

+lcc to Mr.M.Bharath, Advocate sr.17350
+lcc to Mr.P.Srinivas, Advocate sr.no.18032

W.P.No.5221 of 2019

nr 22/03/2019