

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.5138 of 2019
and W.M.P.No.5853 of 2019

R.Jaffar Khan ... Petitioner

-vs-

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 600 003.

2.Executive Engineer,
Zone 5, Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai 600 021.

3.The Assistant Executive Engineer,
Unit 13, Division 55, Zone V,
Greater Chennai Corporation,
Royapuram, Chennai.

4.The Assistant Engineer,
Division 55, Seven Wells,
Corporation of Chennai,
Chennai 600 001.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records in the impugned order in Letter No.05/03953/2019 dated 30.1.2019 issued by respondents 2 to 4, quash the same.

For Petitioner : Mr.S.Udhayakumar

For Respondents : Mr.C.Ravichandran
Stdg. Counsel

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.C.Ravichandran, learned Standing Counsel, for all the respondents.

2.In the present writ petition, the petitioner has challenged the deoccupation notice dated 30.01.2019 issued under Section 56 2(A) and 57 read with Section 85 of the Tamil Nadu Town and Country Planning Act, 1971, in relation to the building situated at No.6, Meeran Labbai Street Seven Wells, Chennai-01. As against the notice which is issued under Sections 56 and 57 read with 85 of the said Act, 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.5853 of 2019 is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

sra
To

1.The Commissioner,
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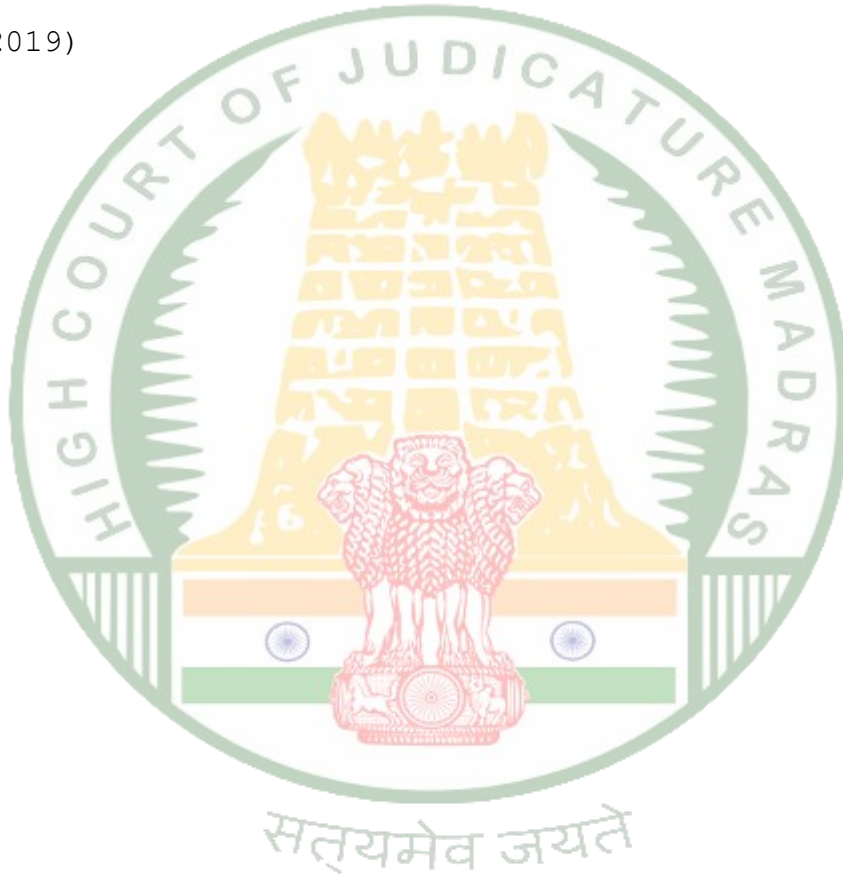
4.The Assistant Engineer,
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+1 CC to Mr.S.Udhayakumar, Advocate sr 17952.

+1 CC to Mr.DR.L.Ravichandran, Advocate sr 17444.

W.P.No.5138 of 2019

BS (CO)
SP(19/03/2019)



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