

In the High Court of Judicature at Madras

Dated : 13.3.2019

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM
and
The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Writ Appeal No.798 of 2019 & CMP.No.6282 of 2019

Vallalar (Phase-3) Residents
Welfare Association, rep.by
its General Secretary G.Mohan ...Appellant

Vs

- 1.The District Collector, Sathuvachari,
Vellore District.
- 2.The Vellore Municipal Corporation,
Vellore, Vellore District rep.by its
Commissioner.
- 3.The Assistant Commissioner, Zone 2,
Vellore Municipal Corporation,
Sathuvachari, Vellore, Vellore District.
- 4.The Executive Engineer, Tamil Nadu
Housing Board, Sathuvachari,
Vellore, Vellore District.
- 5.The Executive Engineer, Tamil Nadu
Pollution Control Board, Gandhi
Nagar, Vellore.
- 6.M/s.V.M.Constructions, rep.by its
Managing Partner Mr.Murugan
- 7.The Assistant Director, Directorate
of Town and Country Planning,
Vellore. ...Respondents

APPEAL under Clause 15 of the Letters Patent against the order dated 15.2.2019 made in Review Petition No.58 of 2017 in W.P.No.13191 of 2016.

Rev.A.58/2017:

Petition filed against the order dated 20.03.2017 in W.P.No.13191 of 2016 on the file of this court.

W.P.No.13191 of 2016:

Petition praying to issue a writ of mandamus to Forbearing the respondents from converting the open space by cutting the large trees and constructing the building to house the new Zonal Office in the space earmarked for public purpose (R-27) at Vallalar (Phase-III) Sathuvachari, Vellore, Vellore District.

For Appellant : Mr.R.Sunilkumar
For Respondents 1 to 3 & 7 : Mr.R.P.Prathap Singh, GA

JUDGMENT WAS DELIVERED BY T.S.SIVAGNANAM, J

We have heard Mr.R.Sunilkumar, learned counsel for the appellant and Mr.R.P.Prathap Singh, learned Government Advocate accepting notice for respondents 1 to 3 and 7.

2. This appeal is directed against an interim order dated 15.2.2019 granted in Review Petition No.58 of 2017.

3. From the impugned order, we find that that the said review petition is still pending before the learned Single Judge and that the impugned order is only an interim order. The writ appeal filed against such an interim order is not maintainable.

4. Accordingly, the writ appeal is dismissed. However, liberty is granted to the appellant to move the Registry for early listing of the said review petition. No costs. Consequently, the connected CMP is also dismissed.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The District Collector, Sathuvachari, Vellore District.

2.The Commissioner, Vellore Municipal Corporation, Vellore, Vellore District

3.The Assistant Commissioner, Zone 2, Vellore Municipal Corporation,
Sathuvachari, Vellore, Vellore District.

4.The Executive Engineer, Tamil Nadu Housing Board, Sathuvachari,
Vellore, Vellore District.

5.The Executive Engineer, Tamil Nadu Pollution Control Board,
Gandhi
Nagar, Vellore.

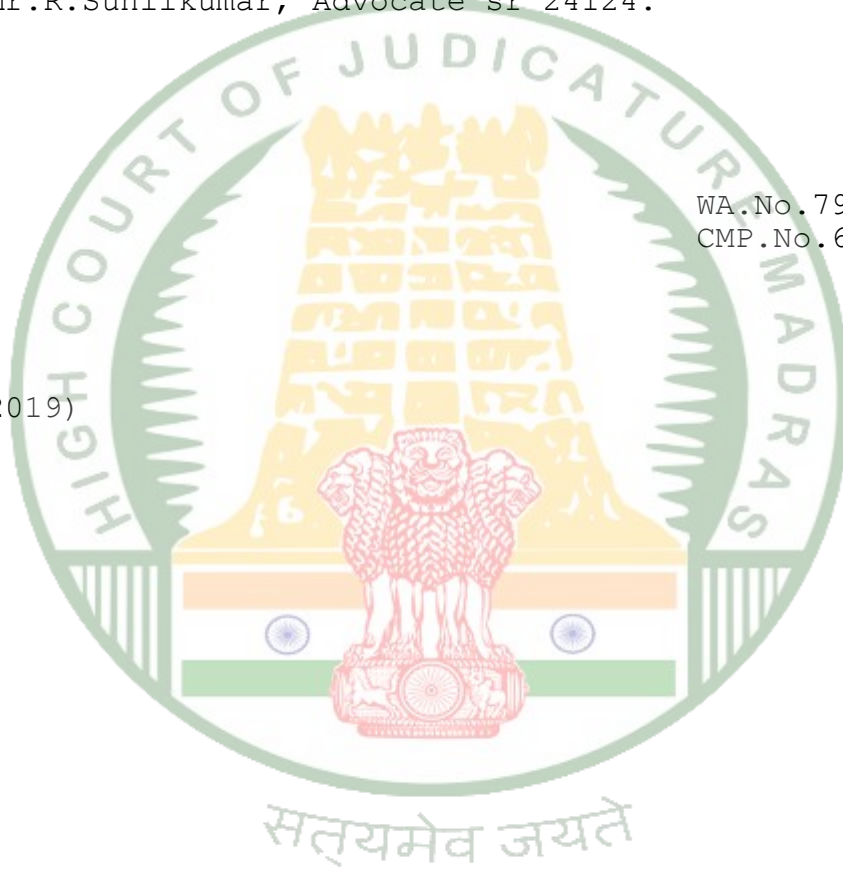
6.The Assistant Director, Directorate of Town and Country
Planning, Vellore.

+1 CC to Govt. Pleader sr 24703.

+1 CC to Mr.R.Sunilkumar, Advocate sr 24124.

SAI (CO)
SP(09/04/2019)

WA.No.798 of 2019 &
CMP.No.6282 of 2019



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