

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. Nos.9848, 9850, 9852, 9855, 9857 and 9858 of 2019
and

W.P.Nos. 9967, 9970, 9982, 9984 and 9987 of 2019 and

W.M.P. Nos.10440, 10441, 10444, 10445,
10448, 10450, 10454, 10455, 10458, 10459,

10460 and 10461 of 2019 in

W.P. Nos.9848, 9850, 9852, 9855, 9857 and 9858 of 2019
and

W.M.P. Nos.10536, 10537, 10541, 10542, 10554, 10556,
10561, 10562, 10567 and 10568 of 2019 in

W.P.Nos. 9967, 9970, 9982, 9984 and 9987 of 2019

Ram Mahal

Represented by K.Ramalingam

S/o. S.Kuppusamy Gounder

.. Petitioner in W.P.No.9848/2019

Arulmigu Dhandapani Thirukoil

Represented by

K.C.Balakrishnan

.. Petitioner in W.P.No.9850/2019

Sri Dhandapani Kovil Thirumana Mandapam

Represented by

K.C.Balakrishnan

.. Petitioner in W.P.No.9852/2019

Sri Palani Murugan Mandapam

Represented by its owner

A.Shanmuga Sundaram

.. Petitioner in W.P.No.9855/2019

Aayira Vaisiyar Chathiram

Represented by its Trustee

V.Srinivasan

.. Petitioner in W.P.No.9857/2019

Arupathi Muvar Mutt
Represented by its Trustee
A.Kuppusamy Gounder

.. Petitioner in W.P.No.9858/2019

Sri Vaiyapuri Subbulakshmi Kalyana Mandapam
Represented by its Owner
N.Senthil

.. Petitioner in W.P.No.9967/2019

SNPR Tirumanam Mandapam
Represented by its Owner
C.B:oobala Shanmugam

.. Petitioner in W.P.No.9970/2019

SriMagudeswarar Thirukoil Puthu Chatiram
Represented by
K.C.Balakrishnan

.. Petitioner in W.P.No.9982/2019

Karthick Chathiram
Represented by its Manager
V.Suresh

.. Petitioner in W.P.No.9984/2019

Magudeswarar Thirumana Mandapam
Represented by
P.Vimala

.. Petitioner in W.P.No.9987/2019

v.

The Executive Officer
Kodumudi Town Panchayat (Selection Grade)
Kodumudi - 638 151
Erode District

.. Respondents in all WP

Prayer in in all WPs:

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari, calling for the records relating to the impugned notices dated 18.01.2019 issued by the respondent made in Na.Ka.No.465/14, the continuation notices dated 21.01.2019 issued by the respondent made in Na.Ka.No.465/14 and consequential order dated 01.02.2019 issued by the respondent made in Na.Ka.No.465/14 and quash the same.

For Petitioners: Mr. Silambanan, Senior Counsel
(in all WPs) for Ms.K.P.Indira

For Respondent : Mr.S.Kamalesh Kannan
(in all WPs) Government Advocate

COMMON ORDER

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

Since the issue involved in all the Writ Petitions are identical, the Writ Petitions are disposed of by this common order.

2. The petitioners have filed the above Writ Petitions to issue Writs of Certiorari to call for the records relating to the impugned notices dated 18.01.2019 issued by the respondent, the continuation notices dated 21.01.2019 issued by the respondent and the consequential orders dated 01.02.2019 issued by the respondent and to quash the same.

3. The petitioners have challenged the notices issued under sections 56, 57 and 85 of the Tamil Nadu Town and Country Planning Act in all these Writ Petitions.

4. When the petitioners have got remedy by way of an appeal under section 80-A of the Town and Country Planning Act, 1971, we are not inclined to entertain the Writ Petitions.

5. The learned Senior Counsel appearing for the petitioners submitted that the petitioners would file appeals under section 80-A of the Act, within a week's time.

6. In view of the submission made by the learned Senior Counsel appearing for the petitioners, the Writ Petitions are disposed of and it is open to the petitioners to file appeals under section 80-A of the Act, before the appellate authority, in accordance with law. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/--

Assistant Registrar(CS iv)

//True Copy//

Sub Assistant Registrar

Rj
To

The Executive Officer
Kodumudi Town Panchayat (Selection Grade)
Kodumudi - 638 151
Erode District

+11ccs to Mr.S.Kamalesh Kannan , Advocate SR.No. 32889 to 32899

+2ccs to Mr. K.Rajasekar, Advocate SR.No. 32956 & 33644

W.P. Nos.9848, 9850, 9852, 9855, 9857 and 9858 of 2019 and

W.P.Nos. 9967, 9970, 9982, 9984 and 9987 of 2019 and

W.M.P. Nos.10440, 10441, 10444, 10445, 10448, 10450, 10454, 10455, 10458, 10459,

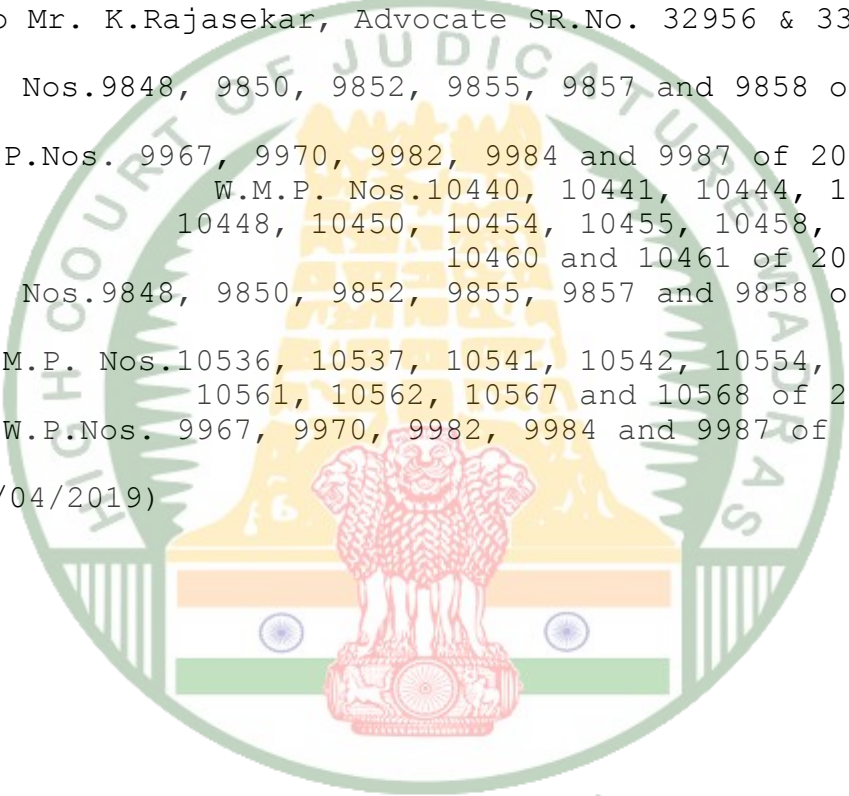
10460 and 10461 of 2019 in

W.P. Nos.9848, 9850, 9852, 9855, 9857 and 9858 of 2019 and

W.M.P. Nos.10536, 10537, 10541, 10542, 10554, 10556, 10561, 10562, 10567 and 10568 of 2019 in

W.P.Nos. 9967, 9970, 9982, 9984 and 9987 of 2019

A.SK(09/04/2019)



WEB COPY