



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Eleventh day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP (MD) Nos.4165,4166 and 4167 of 2019
IN
WP (MD) Nos.5215,5216 and 5217 of 2019

B.JEYANTHI

... PETITIONER/ PETITIONER
IN WMP (MD) No.4165 of 2019
IN WP (MD) No.5215 of 2019

S.SANGEETHA

... PETITIONER/ PETITIONER
IN WMP (MD) No.4166 of 2019
IN WP (MD) No.5216 of 2019

R.UMA MAHESWARI

... PETITIONER/ PETITIONER
IN WMP (MD) No.4167 of 2019
IN WP (MD) No.5217 of 2019

Vs

- 1.THE GOVERNMENT OF TAMILNADU
REP.BY ITS SECRETARY,
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
FORT.ST.GEORGE, CHENNAI-600 009.
- 2.THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
O/O.THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
OPPOSITE TO LIC, CHENGALVARAYAN BUILDING,
FOURTH FLOOR, NO.807,
ANNA SALAI, CHENNAI-600 002
- 3.THE DEPUTY DIRECTOR OF TOWN AND COUNTRY PLANNING,
O/O.THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
HAKIM AMALKHAN ROAD,
CHINA CHOKKIKULAM, MADURAI-2
- 4.THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.
- 5.MADURAI CORPORATION,
REP.BY ITS COMMISSIONER, MADURAI.



6. THE ASSISTANT COMMISSIONER,
MADURAI CORPORATION, MADURAI WEST ZONE,
ARASARADI ROAD, MADURAI-1

7. THE LOCAL TOWN PLANNING AUTHORITY,
REP. BY ITS MEMBER SECRETARY,
3RD FLOOR, MADURAI CORPORATION BUILDING,
THALLAKULAM, MADURAI-2

8 P. RAJU
9 DEIVANAIA MMAL
10 KAMALA
11 KAMATCHI
12 THIRUPPATHI
13 KANNAN
14 ANNAKAMU
15 M. VELUPILLAI
16 V. MUTHURAJAN
17 M. M. MEYYAPPAN
18 KARUPPAIAH
19 ARULMOZHI

20. RAJU, TREASURER,
SEMBARUTHI NAGAR VEETTU URIMAIYALARGAL
MATTRUM KUDIYIRUPPOR NALASANGAM,
SEMBARUTHI NAGAR,
NEW VILANGUDI, MADURAI-625 018.

21. SEMBARUTHI NAGAR VEETTU
URIMAIYALARGAL MATTRUM KUDIYIRUPPOR
NALASANGAM, REP. BY ITS SECRETARY,
SEMBARUTHI NAGAR, NEW VILANGUDI,
MADURAI-625 018.

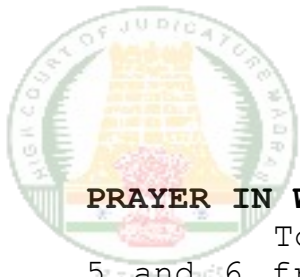
... RESPONDENTS/ RESPONDENTS
IN ALL THE PETITIONS

PRAYER IN WMP(MD) No. 4165 of 2019 IN WP(MD) No. 5215 of 2019:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of injunction restraining the respondents 5 and 6 from putting up any construction in the petitioners Plot.No.72 bearing New S.No.46/6B and 46/7B measuring 1750 sq.ft situated in Meyyappan Nagar now known as Sembaruthi Nagar, New Vilangudi, Madurai-18, pending disposal of the main Writ Petition.

PRAYER IN WMP(MD) . 4166/ 2019 IN WP(MD) NO.5216 of 2019 :

To grant an order of injunction restraining the respondents 5 and 6 from putting up any construction in the petitioner's Plot.No.71 bearing New S.No.46/6E and 46/7C measuring 1.5 Ares situated in Meyyappan Nagar now known as Sembartuhi Nagar, New Vilangudi, Madurai-18 pending disposal of the main Writ Petition.

**PRAYER IN WMP(MD) . 4167/ 2019 IN WP(MD)No.5217 of 2019:**

To grant an order of Injunction restraining the respondents 5 and 6 from putting up any construction in the petitioner's Plot No.73 bearing New S.No. 46/6C measuring 2260.4 sq.ft situated in Meyyappan Nagar not known as Sembaruthi Nagar, New Vilangudi, Madurai-18 pending disposal of the main Writ Petition.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.M.SARAVANAN, Advocate for the petitioner in all the petitions, and of Mr.S.CHELLAPANDIAN, Advocate for R5 and R6 in all the petitions, while admitting the WPs, the court made the following order:-

The only prayer made by the writ petitioner is that the present development of the petition mentioned area should conform to the lay out requirements. The petitioner specific case is that the development has taken place in deviation of the lay out terms, the petitioner seeks restoration of the position as stay out in the lay out lands. Hence, the writ civil miscellaneous petition has been filed.

2.I am of view that relief can be granted to the petitioner only after putting interested parties on notice. Hence, the writ petition stands admitted. The pendency of the writ petition will not come in the way of the concerned authority from taking action as per law. The writ civil miscellaneous petition is dismissed.

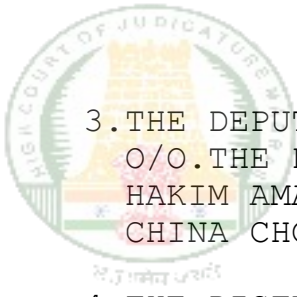
sd/-
11/03/2019

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE SECRETARY,
THE GOVERNMENT OF TAMILNADU
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
FORT.ST.GEORGE, CHENNAI-600 009.
- 2.THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
O/O.THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
OPPOSITE TO LIC, CHENGALVARAYAN BUILDING,
FOURTH FLOOR, NO.807,
ANNA SALAI, CHENNAI-600 002



3. THE DEPUTY DIRECTOR OF TOWN AND COUNTRY PLANNING,
O/O. THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
HAKIM AMALKHAN ROAD,
CHINA CHOKKIKULAM, MADURAI-2

4. THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

5. THE COMMISSIONER,
MADURAI CORPORATION, MADURAI.

6. THE ASSISTANT COMMISSIONER,
MADURAI CORPORATION, MADURAI WEST ZONE,
ARASARADI ROAD, MADURAI-1

7. THE MEMBER SECRETARY,
THE LOCAL TOWN PLANNING AUTHORITY,
3RD FLOOR, MADURAI CORPORATION BUILDING,
THALLAKULAM, MADURAI-2

+1. C.C. to Mr. R. SUBRAMANIAN Advocate SR.No.4594

ORDER

IN

WMP (MD) Nos. 4165, 4166 and
4167 of 2019 IN

WP (MD) Nos. 5215, 5216 and
5217 of 2019

Date : 11/03/2019

TK/PN/SAR-2/19.03.2019/4P/9C