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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs. JUSTICE R.THARANI

Writ Petition (MD).No.12486 of 2019

and

W.M.P.(MD)Nos.9311 and 9881 of 2019

M/s.Global TVS Bus Body Builders Ltd.,
Trichy Road,
Viralimalai,
Pudukottai District,
Having its Registered office at
TVS Building,
7-B, West Veli Street,
Madurai - 625001
Through its Authorized Officer,
& Chief Executive Officer,
N.Srinivasan

... Petitioner

Vs.

1.Commissioner of Town and Country Planning,
No.807, Anna Salai,
Chennai.

2.Deputy Director of Town and Country Planning,
Sivagangai Region,
Sivagangai.

3.Block Development Officer,
Viralimalai Panchayat Union,
Pudukottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned notice issued by the second respondent in his proceeding in Na.Ka.No.1759/2019 dated 06.05.2019 and quash the same and consequently direct the respondents to forbear any actions consequent thereto.

For Petitioner : Mr.V.Ramakrishnan

For Respondents : Mr.A.Muthu Karuppan AGP



ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.V.Ramakrishnan, learned counsel appearing for the petitioner and Mr.A.Muthu Karuppan, learned Additional Government Pleader appearing for the respondents.

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2.The petitioner is a limited company. A part of the group is having considerable patronage in the State of Tamil Nadu. Unfortunately, they have failed to take note of the fact that before they put up any construction, they have to obtain building plan and the construction should be in conformity with the building plan. Justifying that the number of employees has been increased, additional rest room and canteen has to be provided, therefore, construction was put up.

3.We failed to understand as to how the limited company having their presence in the State of Tamil Nadu for several decades could take such a stand. They have undermine the power of authority as the respondent. Be that as it may, the writ petition was entertained and the Division Bench directed the petitioner to re-present the application submitted by them for requisition/approval along with additional documents. The application was re-presented on 05.08.2019 and it is not known as to why the petitioner, a limited company who sent their compliance by registered post. The last of the return states that the petitioner should make an online application. Though this procedure has been introduced subsequently, the petitioner should comply with the said norms.

4.It is submitted by the learned counsel by the petitioner that they are not using the building and an undertaking was given to this Court that the petitioner will not use the building. The undertaking shall be continued till appropriate orders are passed by the competent authority. The petitioner is directed to apply online within a period of two weeks from the date of receipt of copy of this order. On receipt of the online application, the same shall be considered in accordance with law.

5.With the above directions, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)



1.The Commissioner of Town and Country Planning,
No.807, Anna Salai,
Chennai.

2.The Deputy Director of Town and Country Planning,
Sivagangai Region,
Sivagangai.

3.The Block Development Officer,
Viralimalai Panchayat Union,
Pudukottai District.

+1 CC to M/s.V.RAMAKRISHNAN, Advocate (SR-87638[F] dated
19/09/2019)

+1 CC to M/s.SPL GP (SR-87921[F] dated 19/09/2019)

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