



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Thursday, the Twenty Eighth day of February Two Thousand and
Nineteen

The Hon'ble Mr Justice K.KALYANASUNDARAM

AND

The Hon'ble Mrs.Justice R.THARANI

WP(MD) . Nos.25246 of 2018 and 3424 of 2019

WP(MD) . No.25246 of 2018

JC ABODE FLATS OWNERS
ASSOCIATION REP. BY ITS SECRETARY G.
KANCHANA W/O. P.GANAPATHY NO.F2 JC ABODE
20 NEW KARUR BYEPASS ROAD ANNAMALAI NAGAR
TRICHY-18.

... Petitioner

Vs

- 1 THE COMMISSIONER,
TOWN & COUNTRY PLANNING CHENNAI.
- 2 THE DISTRICT COLLECTOR/
CHAIRMAN TOWN & COUNTRY PLANNING TRICHY.
- 3 THE COMMISSIONER,
TRICHY CITY CORPORATION TRICHY.
- 4 THE ASSISTANT DIRECTOR/
MEMBER SECRETARY LOCAL PLANNING AUTHORITY
NO.11 KAJAMALAI MAIN ROAD THAMARAI NAGAR
TRICHY-23.
- 5 JOHN CONSTRUCTION REP. BY
THE MANAGING DIRECTOR MR. FRANCIS DAVID
JOHN S/O.DAVID JOHN NO.96 ROYAR THOPE
TRICHY

- 6 AMALORPAVOR MARRY

... Respondents

Prayer :-

Writ Petition is filed under Article 226 of Constitution of India, praying this Hon'ble Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to take action for the unauthorized construction constructed by the 5th and 6th respondent in violation of the original planning permission granted in proceedings Na.Ka.No.1815/2004 TLPA-2 dated 30.05.2005 at Chinthamani Village, Block 20, Ward (B), Koabisegapuram region, Tiruchirappalli Corporation, of the 4th respondent and restore the open space



reservation, Car Parking. Side set back and pathways as per the original planning permission based on the representation of the petitioner association dated 12.10.2018.

WP(MD). No.3424 of 2019

JOHN CONSTRUCTION PRIVATE LTD

REP. BY THE DIRECTOR NO.96 ROYAR THOPPU

SRIRENGAM TRICHY-620 006.

... Petitioner

Vs

1 THE COMMISSIONER,

TRICHY CORPORATION TRICHY.

2 THE ASSISTANT COMMISSIONER,

K.ABISHEKAPURAM DIVISION TRICHY CORPORATION
TRICHY.

3 THE ASSISTANT COMMISSIONER,

TOWN AND COUNTRY PLANNING TRICHY
CORPORATION BUILDING TRICHY

... Respondents

Prayer :-

Writ Petition is filed under Article 226 of Constitution of India, praying this Hon'ble Court to issue a writ of Certiorarified Mandamus, calling for the records, pertaining to the impugned order Na.Ka.No.F1/15220/18/20, dated 28.01.2019, issued by this 2nd respondent Quash the same as illegal and void and thereby directing these respondents to act as per the Trichy Corporation Act and other Relevant Act to array any deviation of the original plan.

ORDER:-

Writ Petitions are coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.B.PRASANNA VINOTH, Advocate for the Petitioner (in WP(MD).No.25246 of 2018), Mr. F.X.EUGENE, Advocate for the Petitioner (in WP(MD).No.3424 of 2019 and for RR5 and 6) in WP NO.25248/18 and of Mr. M.PANDIARAJAN, AGP FOR RR1 AND 2 (in WP(MD).No.25246 of 2018 and R3 in WP(MD).No.3424 of 2019) and Mr.SAJI BINO FOR R3 (in WP(MD).No.25246 of 2018 and RR1 and 2 in WP (MD).No.3424 of 2019), this Court made the following order:

The Advocate Commissioners have filed report along with plan.

Considering the nature of work executed by the Advocate Commissioners, respondents 5 and 6 shall pay additional remuneration of Rs.15,000/- (Rupees Fifteen Thousand Only) each to the Advocate Commissioners.



Post the matter next week

Sd/-
Assistant Registrar (CS-III)

/True Copy/

WEB COPY

Sub Assistant Registrar

TO

1 Ms.D.RUKMANI, ADVOCATE (ENTROLLMENT No.3357/2015), No. 80, LAW CHAMBERS, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI. MOBILE No.9442255322.

2 Ms.J.LAKSHMI PRASANNA, ADVOCATE, (ENTROLLMENT No.2313 of 2011), No.25, LAW CHAMBERS, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI. MOBILE No.9943149499.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 28/02/2019
HEARING DATE : 07/03/2019

ORDER
WP (MD) . No.25246 of 2018
and 3424 of 2019

Giving direction and etc.
as stated within.

SP/06.03.2019/ 3P/4C