

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.19642/2020 & WMP.No.24269/2020

Mr.N.Sivakumar rep.by the Power Agent
Mr.C.Natarajan

..Petitioner

Versus

- 1.The Additional Secretary [Technical]
Housing & Urban Development Department
Secretariat, Chennai 600 009.
- 2.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003.
- 3.The Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008.
- 4.Executive Engineer
Zone-13, Adyar, No.115,
Dr.Muthulakshmi Salai
Adyar, Chennai 600 020.
- 5.Assistant Engineer
DIV 179, No.65, Velachery Main Road
Velachery, Chennai 600 065.
- 6.Junior Engineer,
DIV 179, No.65, Velachery Main Road
Velachery, Chennai 600 065.

7.Tmt.Vallirajan

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records pertaining to the order of

rejection of petitioner appeal u/s.80[A] of the Tamil Nadu Town and Country Planning Act, in Letter No.18704/UDVII[2]/2019-4 dated 18.11.2020 issued by the 1st respondent to the petitioner for the construction of N.Sivakumar's residential building situated at Plot No.145 and 146, Bhuvanewari Nagar 1st Main Road, Velachery, Chennai Pincode 600042 and quash the same and consequently direct the 1st respondent to decide the appeal based on the site inspection report through letter No.18704/UDVII[2]/2019-2 dated 12.02.2020.

For Petitioner : Mr.G.Peranban

For R1 : Mr.P.S.Sivashanmugasundaram
Special Government Pleader

For RR2,4,5&6 : Mr.M.Ganesan
Standing counsel

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J. through Video Conferencing]

(1)After some arguments, the learned counsel for the petitioner prays the leave of this Court to withdraw this writ petition with a liberty to avail the alternative remedy u/s.81 of the Town and Country Planning Act, 1971, and also undertakes to send an endorsement through E-mail to the Registry of this Court.

(2)In the light of the same, the writ petition stands dismissed as withdrawn and if the petitioner is so advised and if it is available to him under law, he is entitled to invoke the said remedy. No costs. consequently, the connected miscellaneous petition is closed.

सत्यमेव जयते
s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Additional Secretary [Technical]
Housing & Urban Development Department
Secretariat, Chennai 600 009.

2. The Commissioner
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Velachery, Chennai 600 065.
6. Junior Engineer,
DIV 179, No.65, Velachery Main Road
Velachery, Chennai 600 065.

+1 CC to The Government Pleader sr 43028.

WP.No.19642/2020

SR(CO)
SP(21/01/2021)



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