



W.P.No.14064 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mr.JUSTICE.V.LAKSHMINARAYANAN

W.P.No. 14064 of 2018
and
W.M.P.No.16620 of 2018

R.Gopalakrishnan
Rep.by his power agent
Bhaskar

...Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Park Town,
Chennai-600 003.

2. The Executive Engineer,
Zone 5, Greater Chennai Corporation,
Division Unit-14,
No.2, Adikesavalu Street,
Chindatripet, Chennai-600 002.

3. The Assistant Executive Engineer
Unit No.13,
Greater Chennai corporation,
N.2, Adhikesavalu Street,
Chindatripet, Chennai-600 002.



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4. The Assistant Engineer,
Division No.57,
Greater Chennai Corporation,
No.2, Memorial Hall Road,
Park Town, Chennai-600 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the impugned proceedings issued by the respondents under Tamil Nadu Town and Country Planning Act through the Letter No.05/ 03652/2018 dated 06.02.2018 quash the same so far as the premises belongs to the petitioner

For Petitioner : Mr.V.Manohar

For Respondents : Mr.E.C. Ramesh
Standing Counsel

ORDER

(Order of the Court was made by V.LAKSHMINARAYANAN, J.,)

This Writ Petition has been filed, to call for the records pertaining to the impugned proceedings issued by the respondents under Tamil Nadu Town and Country Planning Act through the Letter No.05/ 03652/2018 dated 06.02.2018 & to quash the same.

2.Heard the learned counsel appearing on either side and perused the



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materials available on record.

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3.It is seen that the impugned order has been issued in accordance with the provisions of the Town and Country Planning Act (in short 'the Act'). Since there is an effective appeal remedy available under Section 80 – A of the Act, this Writ Petition is not maintainable.

4.Accordingly, this Writ Petition stands dismissed, granting liberty to the petitioner to prefer an appeal under Section 80 – A, before the Government. Time taken for prosecuting the present Writ Petition shall be excluded in preferring the appeal. If such an appeal is filed by the petitioner, the Appellate Authority / Government shall dispose the same within a period of 90 days from the date of filing of the appeal. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (V.L.N.,J.)
05.09.2023

Index:Yes/No
Speaking/Non-speaking order
Jer



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J.NISHA BANU,J.
and
V.LAKSHMINARAYANAN,J.

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