



WEB COPY



W.P.No.27563 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.04.2023

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

AND

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P.No.27563 of 2019
and W.M.P.No.27051 of 2019

S.Fakhruddin

.. Petitioner

Vs.

1.The Commissioner
Corporation of Chennai
Ripon Building
Chennai-3

2.The Executive Engineer
Greater Chennai Corporation Zone IX
No.1 Lake Area, 4th Cross Street
Nungambakkam
Chennai-34

3.The Assistant Executive Engineer
Corporation of Chennai
Dr.Besant Road
Zone No.9, Division No.120
Triplicane, Chennai-5

.. Respondents



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Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari to call for the records of the 2nd respondent notice dated 28.08.2019 *vide* notice No.Zone IX DN-120/TPENF/01/2019 and quash the same.

For Petitioner : Ms.AL.Gandhimathi
Senior Counsel for
Mr.A.R.Karthik Lakshmanan
For R1 to R3 : Ms.P.T.Rama Devi
Standing Counsel

ORDER

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

This writ petition has been filed challenging the notice dated 28.08.2019 issued under Sections 56(2A) and 57 of the Tamil Nadu Town and Country Planning Act, 1971.

2. Since the petitioner has not filed a revision before the Government under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, against the said notice dated 28.08.2019, this writ petition is not maintainable. However, the petitioner is at liberty to file a revision within a period of two weeks from the date of receipt of a copy of this order. If such



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revision is filed, the Government viz., the Additional Secretary, Housing and Urban Development Department, Secretariat, Chennai 600 009 is directed to dispose of the revision within a period of four months thereafter, after hearing the petitioner in W.P.No.27563 of 2019, the petitioner in W.P.No.4359 of 2018, CMDA and other Corporation Officials. Till such time, the respondents are restrained from taking any coercive steps against the petitioner.

With the above direction, this writ petition is dismissed. No costs. Connected miscellaneous petition is closed.

(V.M.V.,J.) (V.L.N.,J.)

17.04.2023

(2/2)

Index : Yes / No
Neutral citation : Yes/No
gya

V.M.VELUMANI, J.
AND



W.P.No.27563 of 2019

V.LAKSHMINARAYANAN, J.

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To

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3.The Assistant Executive Engineer
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Dr.Besant Road
Zone No.9, Division No.120
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Chennai-5

4.The Additional Secretary
Housing and Urban Development Department
Secretariat
Chennai-9

17.04.2023
(2/2)