



W.P.No.23582 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.23582 of 2017
and
W.M.P.No.24723 of 2017

C.Rajendran

... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Part Town,
Chennai - 600 003.
2. The Executive Engineer,
Zone - 9, No.1, Lake Area,
4th Cross Street,
Nungambakkam,
Chennai - 600 034.
3. The Assistant Executive Engineer,
Unit No.25, Zone - 9,
No.1, Lake Area,
4th Cross Street,
Nungambakkam,
Chennai - 600 034.



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4. The Assistant Engineer,
Division No.126, Zone - 9,
Singeri Mutt Road,
Mandaveli, Chennai - 600 028.

5. Nagarajan

6. The Additional Secretary,
Tamilnadu Housing and Urban
Development Department,
Secretariat,
Fort St.George,
Chennai - 600 009.

... Respondents

(Respondent No.6 is *suo motu* impleaded by this Court as per order dated 06.03.2023 in W.P.No.23582 of 2017)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records pertaining to the impugned proceedings vide notice No.Z.IX.TPENF/Dn-126/2017, dated 29.07.2017 issued by the respondents 2 to 4 and to quash the same.

For Petitioner : Mr.V.Manohar

For Respondents : Mr.E.Vijayanand
Additional Government Pleader
for R6



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ORDER

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

The present Writ Petition is filed challenging the order passed by the 3rd respondent under Sections 56(2A) and 50(a) and (b) (i) and (ii) of the Town and Country Planning Act, 1971, as amended by Act 61 of 2008, which is appealable order. The petitioner is having an alternative remedy of revision before the Government under Section 80A of the Town and Country Planning Act.

2.In view of the same, this Writ Petition is disposed of granting two weeks time to the petitioner to file a revision under Section 80A of the Town and Country Planning Act before the Government / 6th respondent herein. If any such revision is filed, the 6th respondent is directed to dispose of the same as



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expeditiously as possible in any event within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

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

06.03.2023

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
mps

To

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06.03.2023