



WEB COPY



W.P.(MD) Nos.9425, 9426 and 14263 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) Nos.9425, 9426 and 14263 of 2023
and
W.M.P(MD)Nos.8413, 8415, 8431, 8433 and 12069 of 2023**

Usha	... Petitioner in W.P(MD)No.9425 of 2023
Latha	... Petitioner in W.P(MD)No.9426 of 2023
Raghunathan Ramani	... Petitioner in W.P(MD)No.14263 of 2023

-VS-

- 1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.
- 2.The Assistant Commissioner,
Tiruchirappalli City Municipal Corporation,
Srirangam Zone,
Tiruchirappalli. ... Respondents in all W.Ps

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the order passed by the second respondent in his proceedings Na.Ka.No.F1/7104/2018 dated 16.03.2023 and quash the same as illegal.

(In all W.Ps)
For Petitioner : Mr.T.Lenin Kumar
For R-1 & R-2 : Mr.R.Baskaran,
Senior Counsel for
M/s.R.B.Law Associates



W.P.(MD) Nos.9425, 9426 and 14263 of 2023

COMMON ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

WEB COPY

The notices issued under Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971(hereinafter referred as 'the Act'), are under challenge.

2. The notice under Section 56(1) of the Act, is only a preliminary notice which has to be followed by an order under Section 56(2) of the Act, to offer a cause of action for the petitioners to challenge the same. Hence, we do not see any reason to entertain the writ petitions.

3. The writ petitions are dismissed. However, taking note of the fact that the writ petitions are entertained and an interim order was passed, the petitioners herein are given 30 days time to approach the municipality under Section 49 of the Act or seek any other legal remedy that may be available to them. No Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

27.06.2023

NCC : Yes/No
Index : Yes/No

PM



W.P.(MD) Nos.9425, 9426 and 14263 of 2023

To:

- 1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.
- 2.The Assistant Commissioner,
Tiruchirappalli City Municipal Corporation,
Srirangam Zone,
Tiruchirappalli.



WEB COPY



W.P.(MD) Nos.9425, 9426 and 14263 of 2023

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

pm

W.P.(MD) Nos.9425, 9426 and 14263 of 2023

27.06.2023