



W.P.(MD)No.14576 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.14576 of 2014 and
M.P.(MD)No.1 of 2014**

A.V.M.M. Associates Private Ltd.,
No.135, Palayamkottai Road,
Thoothukudi – 628 003,
Through its Managing Director,
M.V.Muthu Rajan

... Petitioner

-VS-

- 1.The Member Secretary,
Thoothukudi Local Planning Authority,
Town and Country Planning Department,
No.51, West Car Street,
Thoothukudi - 628 002.
- 2.The Commissioner,
The Town and Country Planning Department,
No.807 Anna Salai, Chennai – 600 002.
- 3.The Government of Tamil Nadu,
Rep. By its Secretary,
Housing and Urban Development Department,
Chennai.
- 4.M.R.Nagarajan
[R4 is impleaded vide order dated 01.12.2023,
made in W.M.P.(MD)No.3154 of 2018]

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the proceedings of the impugned order in Na.Ka.No.303/2009, துடிதிரு, dated 04.08.2014, on the file of the first respondent.

For Petitioner	: Mr.G.Prabhu Rajadurai
For R1 to R3	: Mr.T.Amjadkhan Government Advocate
For R4	: Mr.S.T.Sasidharan

ORDER

[Order of the Court was made by the Hon'ble CHIEF JUSTICE]

We have heard the learned counsel appearing for the parties.

2. The petitioner has carried out construction beyond the permission granted. It is submitted that an application has been filed for exemption and the same is pending with the Government.

3. In case, such application is pending with the Government, the authority shall decide the same on its own merits and in accordance with law as expeditiously as possible, preferably, within a period of six months from



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today. Till the application of the petitioner for exemption is decided, the interim order passed by this Court shall continue. Once the decision is taken by the authority on the application filed by the petitioner for exemption, the parties would be governed by the decision taken by the authority.

4. In the light of that, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.V.G., .C.J.]

01.12.2023

[L.V.G., J.]

Index : Yes / No
Neutral Citation : Yes / No
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To

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3.The Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Chennai.



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THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

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