



W.P.(MD) No.9160 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.9160 of 2021

and

W.M.P.(MD)Nos.6903 and 6907 of 2021

Sivakama Sundari Ammal

... Petitioner

-Vs-

1.State of Tamil Nadu,
Rep. by the Secretary of Government,
Housing and Urban Development Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Commissioner,
Ko.Abishekapuram Division,
Trichirappalli City Municipal Corporation,
Trichirappalli-600 009.

3.The Assistant Commissioner,
Trichirappalli Zone, Trichirappalli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the proceedings in Letter No. 2361/UD7-1/2019-5, dated 18.02.2021 on the file of the 1st respondent herein and

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the consequential order passed in Na.Ka.No.F1/6399/2021(Koo.Abi), dated 15.04.2021 on the file of the 2nd respondent herein and quash the same.

For Petitioner : Mr.K.Soundararajan
For R1 : Mr.N.Satheesh Kumar,
Additional Government Pleader
For R2 & R3 : Mr.K.S.Kishore Ram,
for M/s.R.B.Law Associates

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

According to the petitioner, the 3rd respondent issued a notice dated 25.02.2018. Challenging the same, she filed a statutory appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act (hereinafter referred to as 'the Act') before the 1st respondent and the same was rejected vide order dated 18.02.2021 and pursuant to the same, the 2nd respondent issued a consequential proceedings dated 15.04.2021. Challenging both the order of the 1st respondent dated 18.02.2021 and the notice of the 2nd respondent dated 15.04.2021, the petitioner has filed this Writ Petition.

2.We are of the view that when the petitioner has questioned the earlier notice dated 25.02.2018 by way of an appeal under Section 80-A of the Act, which



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was rejected, once again for the very same cause, she has filed this Writ Petition, challenging the fresh notice dated 15.04.2021, which cannot be entertainable.

Therefore, this Writ Petition is dismissed. It is for the respondent Corporation to proceed in accordance with law, if there are any deviations. No costs.

Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [R.V., J.]
28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

The Secretary of Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Secretariat,
Chennai-600 009.



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D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

Yuva

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