



W.P.(MD)Nos.1345 & 1352 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)Nos.1345 & 1352 of 2014

and

M.P.(MD)Nos.1 & 1 of 2014

M.A.R. College of Engineering and Technology,
Represented by its Secretary cum Managing Trustee,
Mohammed Educational and Charitable Trust,
No.5, M.A.R. Complex,
TVS Tolgate,
Trichy – 620 020. : Petitioner in W.P.(MD)No.1345/14

M.A.R. Polytechnic College,
Represented by its Secretary cum Managing Trustee,
Mohammed Educational and Charitable Trust,
No.5, M.A.R. Complex,
TVS Tolgate,
Trichy – 620 020. : Petitioner in W.P.(MD)No.1352/14

Vs.

1.The Director of Town and Country Planning,
Anna Salai,
Chennai – 600 002.



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2.The Deputy Director of Town and Country Planning,
Sivagangai Region,
430 Gandhi Street,
Sivagangai – 630 561.

3.The President,
Boothakudi Panchayat,
Illupur Taluk,
Pudukkottai District – 621 316.

: Respondents in both Writ Petitions

PRAYER in W.P.(MD)No.1345 of 2014: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Na.Ka.No.667 of 2011 C.Ma.3 dated 15.07.2011 and followed by letter dated 20.11.2013 made in Na.Ka.No.1876/2013 C.Ma.3, on the file of the second respondent herein and to quash the same and further forbear the respondents 1 and 2 from making any demand whatsoever under the Tamil Nadu Town and Country Planning Act and Tamil Nadu Town and Country Planning (Levy of Infrastructure and Amenities Charges) Rules, 2008 pertaining to the building permission No.2/2007-08 dated 12.07.2007 and 1/2010-11 dated 05.08.2010 granted by the third respondent to the petitioner.



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PRAYER in W.P.(MD)No.1352 of 2014: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in letters dated 09.11.2012 and 22.01.2013 and followed by letter dated 20.08.2013 made in Na.Ka.No.1414/2012 C.Ma.3 on the file of the second respondent herein and to quash the same and further forbear the respondents 1 and 2 from making any demand whatsoever, under the Tamil Nadu Town and Country Planning Act and Tamil Nadu Town and Country Planning (Levy of Infrastructure and Amenities Charges) Rules, 2008 pertaining to the building permission No.12/2005-06 granted by the third respondent to the petitioner.

For Petitioner : Mr.D.Sreenivasa Raghavan
[In W.P.(MD)No.1345/14]
For Petitioner : Mr.M.Muthukeethaiyan
[In W.P.(MD)No.1352/14]
For Respondents : Mr.T.Amjad Khan
Government Advocate
[In both Writ Petitions]



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COMMON ORDER

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

The orders passed under Sections 56 and 57 of 'the Tamil Nadu Town and Country Planning Act, 1971' [hereinafter referred to as 'the Act'] are under challenge in the present Writ Petitions.

2.The learned Counsel for the petitioners would submit that colleges have been closed in the years 2021 and 2024, respectively, as per the closure order issued by the Anna University dated 06.01.2024 and as on now the colleges are not functioning.

3.According to the learned Government Advocate for the respondents, in view of the statement made by the learned Counsel for the petitioners, no further orders are required as against the impugned orders.

3.In view of the above, no further orders are required in the present writ petition. If at all the petitioners are aggrieved by the aforesaid orders, it is for the petitioners to approach the authorities concerned and submit an explanation, explaining the subsequent events. If any such explanation is submitted, the same shall be considered by the authorities concerned and they shall



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take further course of action after providing an opportunity to the petitioners.

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4.With the aforesaid liberty, these writ petitions stand disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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

26.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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D.KRISHNAKUMAR, J.

and

R.VIJAYAKUMAR, J.

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COMMON ORDER MADE IN
W.P.(MD)Nos.1345 & 1352 of 2014

26.03.2024