



W.P.(MD) No.19225 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

CORAM:

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

AND

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

W.P.(MD)No.19225 of 2014

and

M.P.(MD)No.1 of 2014

HH The Prince of Arcot Endowments,
Rep. by its Accredited Agent,
No.12, II Floor, GMAK Block, NSB Link Road,
Tiruchirappalli-620002.

... Petitioner

-Vs-

- 1.The Commissioner,
Tamilnadu Town and Country Planning,
Anna Salai, Chennai.
- 2.The Assistant Director / Member Secretary,
Town and Country Planning,
Tiruchirappalli Local Planning Authority,
10, Williams Road, Cantonment,
Tiruchirappalli-620 001.
- 3.Tiruchirappalli City Municipal Corporation,
Rep. by its Commissioner,
Cantonment, Tiruchirappalli-620001.

... Respondents



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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 of the 1st respondent dated 30.10.2014 made in Rc.No.17990/2014/CP and quash the same as illegal, unenforceable, ultravires without jurisdiction.

For Petitioner : Mr.K.S.Sankhar Murali

For R1 & R2 : Mr.T.Amjadkhan,
Government Advocate

For R3 : Mr.K.S.Kishore Ram,
for M/s.R.B.Law Associates

ORDER

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

The order dated 30.10.2014 issued by the 1st respondent under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971, (hereinafter referred to as 'the Act'), is under challenge in this Writ Petition.

2.On perusal of the impugned order dated 30.10.2024, we are of the view that the petitioner is having alternative remedy before the Government by filing an appeal under Section 80A of the Act. Without exhausting the said appeal remedy, he has straightaway filed this Writ Petition and therefore, the same is not maintainable. Accordingly, this Writ Petition stands dismissed with liberty to the petitioner to file an appeal before the appellate authority within a period of two



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weeks from the date of receipt of a copy of this order. No costs. Consequently,
connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
27.03.2024

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

Yuva

To

- 1.The Commissioner,
Tamilnadu Town and Country Planning,
Anna Salai, Chennai.
- 2.The Assistant Director / Member Secretary,
Town and Country Planning,
Tiruchirappalli Local Planning Authority,
10, Williams Road, Cantonment,
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R.VIJAYAKUMAR, J.

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