



W.P.(MD)No.14551 of 2015

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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)No.14551 of 2015

and

M.P.(MD)Nos.1 to 4 of 2015

Thiraviam Engineering Pvt. Limited,

Rep. by its Managing Director,

Mr.John Vasigaran,

No.2/101-1, Thiruchendur Road,

Muthiahpuram,

Tuticorin,

Tamil Nadu – 628 005.

: Petitioner

Vs.

1.The Tuticorin Local Planning Authority,

Rep. by its Member Secretary,

51, Mela Ratha Veethi,

Tuticorin – 628 002.

2.The District Collector,

Chairman,

District Coastal Zone Management Authority,

Thoothukudi District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records of the first respondent culminating in the order in Na.Ka.No.1444/08 dated 04.08.2015, quash the same.

For Petitioner : Ms.G.Prabhahari
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

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

The order passed under Sections 56(2A) and 57(4) of 'the Tamil Nadu Town and Country Planning Act, 1971' [hereinafter referred to as 'the Act'] is under challenge in the present Writ Petition.

2.The order passed under Sections 56(2A) and 57(4) of the Act is an appealable order under Section 80(A) of the Act. Without exhausting the appeal remedy, the petitioner has filed this Writ Petition. Therefore, this Writ Petition is not entertainable under Article 226 of Constitution of India and the same is liable to be dismissed. However, liberty is granted to the petitioner to prefer an appeal before the competent authority. It is made clear



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that the petitioner shall file an appeal within a period of four [4] weeks from the date of receipt of a copy of this order.

3.With the aforesaid liberty, this writ petition stands 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

MR



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To

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and

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ORDER MADE IN
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