



W.P.(MD)No.9077 of 2017

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.9077 of 2017

and

M.P.(MD)No.6928 of 2017

State Bank of India,

Represented by Assistant General Manager,

SME Branch,

306, Beach Road,

Tuticorin – 628 001.

: Petitioner

Vs.

The Member Secretary,

Local Planning Authority,

Tuticorin.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records of the respondent dated 02.05.2017 made in Na.Ka.No.700/2016
தூஉதிரு and quash the same.



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For Petitioner : Mr.Ananth C.Rajesh
For Respondent : Mr.N.Satheesh Kumar
Additional 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 that the petitioner shall file an appeal within a period of two [2] weeks from the date of receipt of a copy of this order.



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3.With the aforesaid liberty, this writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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

26.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR

To
The Member Secretary,
Local Planning Authority,
Tuticorin.



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D.KRISHNAKUMAR, J.

and

R.VIJAYAKUMAR, J.

MR

ORDER MADE IN

W.P.(MD)No.9077 of 2017

26.03.2024