



W.P.(MD) No.2158 of 2016

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.2158 of 2016

and

W.M.P.(MD)No.1938 of 2016

M/s.Kongunadu Polytechnic College,
D.Gudalur Via, Palayam,
Dindigul-624 620,
Rep. by its Correspondent,
Nallammal

... Petitioner

-Vs-

The Deputy Director of Town and
Country Planning,
No.4, Hakkim Ajmal Khan Road,
Chinnachokkikulam, Madurai-2.

... Respondent

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 respondent dated 09.11.2015 made in Na.Ka.No.2021.2012 Mama.4 and quash the same

For Petitioner : Mr.N.Shanmugam

For Respondent : Mr.T.Amjadkhan,

Government Advocate



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ORDER

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

The order dated 09.11.2015 issued by the 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 09.11.2015, 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 weeks from the date of receipt of a copy of this order, in default, the respondent shall proceed in accordance with law. 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
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The Deputy Director of Town and
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