

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14785 of 2015

and

M.P.Nos.1 to 3 of 2015

M/s.Ramaniyam Real Estates (P) Ltd.,

Rep. By its Managing Director

Mr.V.Jaggannathan,

No.35/16, 2nd Main Road,

Gandhi Nagar, Adyar,

Chennai - 600 020.

... Petitioner

Vs.

The Commissioner,

Pallavaram Municipality,

Chrompet, Chennai - 600 044.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of certiorarified mandamus to call for the records relating to the respondents in first respondent's Notice issued in Na.Ka.No.3621/2011/A1, dated 08.05.2015, and to quash the same and forbear the respondents from proceedings further pursuant to the impugned Notice in Na.Ka.No.3621/2011/A1, dated 08.05.2015 against the petitioner's property situated at No.110, GST Road, Ward No.42, Chrompet, Pallavaram Municipality, Tambaram.

For Petitioner :Mr.B.Sundaresan

For Respondent :Mr.D.Suriyanarayanan

ORDER

Challenging the impugned notice dated 08.05.2015 of the first respondent, the petitioner has filed the present writ petition seeking to forbear the respondents from proceeding further pursuant to the above said notice.

2. It is the contention of the learned counsel appearing for the petitioner that the petitioner Company has purchased a property situated at New S.Nos.16/1B2, 16/1D2 and 16/1C in corresponding Old S.No.411/4 part, 5, 6, 7 part, 411/4 part and 411/5, 6, 7 part, measuring an extent of 2882 sq.mtrs., in Zameen Pallavaram Village, Pallavaram Municipality, from R.Thiyagarajan and M/s.Vanguard

Leathers India, partnership firm, through a registered sale deed dated 07.11.2008. Thereafter, they have applied for planning permission for construction of residential building through their application dated 21.06.2011 to the Pallavaram Municipality. On receipt of such application, the Pallavaram Municipality has sent a letter dated 22.06.2011 directing the petitioner to pay various charges to the tune of Rs.88,71,934/- as due from financial year 2005-2006 1st half onwards.

3. It is now submitted by the learned counsel for the petitioner that they have cleared all the dues subsequent to the order passed by this Court in W.P.Nos.13797/2012 etc., dated 02.12.2014, therefore, there is no impediment for the respondent in issuing building permission and approved plan.

4. Learned Standing counsel appearing for the respondent, on instruction, submitted that since the respondent has cleared all the dues from 2005-2006 to till date, a direction may be issued to the authorities to issue building permission and approved plan with a time frame.

***"5.Recording the above said submission of the learned Standing counsel for the respondent, the respondent is directed to issue building permission and approved plan. The respondent is directed to complete the said exercise within a period of two weeks from the date of receipt of a copy of this order. MP.No.3 of 2015 is ordered accordingly.**

Post the writ petition for filing counter after two weeks."

Sd/-

Assistant Registrar

Dated:19.6.2015

***Amended as per order dt.1.7.15
and made herein.**

Sd/-

Assistant Registrar

Dt.6.7.15

True Copy

Sub Assistant Registrar

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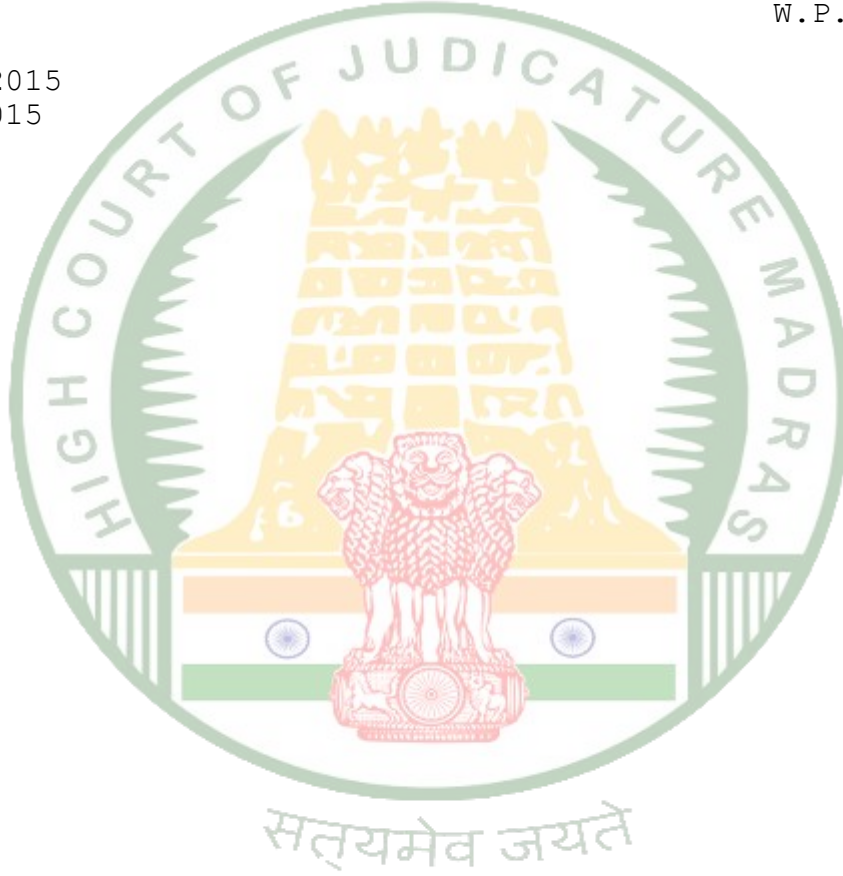
To
The Commissioner,
Pallavaram Municipality,
Chrompet, Chennai - 600 044.

***To be substituted to the order
already despatched.**

1 cc to Mr. D.Suriyanarayanan, Advocate Sr.No.27869
1 cc to Mr. B.Sundaresan, Advocate Sr.No.27657

W.P.No.14785 of 2015

ts(co)
pmk.22.6.2015
krd 7/7/2015



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