

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 7/7/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P.No.19622 of 2015

R. Ravi ... Petitioner

Vs

The Commissioner
Pammal Municipality
Pammal
Chennai 600 075. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records of the respondent comprised in its Notice dated 21/5/2015 Letter No.---2011/UAC No./2015F1 against the petitioner as arbitrary, illegal and not sustainable in law in view of the fact that the respondent has no authority or jurisdiction to issue Planning permission for the construction of any building for Higher Secondary School under Section 14 B (x) of CMDA Building Rules and quash the same.

For petitioner ... Mr.S.Sridhar

For respondent ... Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

O R D E R

(Order of the Court was made SATISH K. AGNIHOTRI, J.)

Mr.P.S.Sivashanmugasundaram, Special Government Pleader takes notice on behalf of the respondent. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2. Assailing the Stop Work Notice/Notice calling for approved plan issued by the Commissioner, Pammal Municipality, Chennai 75 dated 21st May, 2015, the petitioner has come up with this writ petition.

3. Indisputably, as stated by the learned counsel for the petitioner, the petitioner is a promoter and builder. The petitioner has started construction of the building in question. By the afore-

stated notice, on the basis of site inspection made on 21/5/2015, the petitioner was called upon to produce approved plan, as he did not exhibit approved plan at the site as required. At this stage, if the petitioner has already obtained the approved plan, it is for him to produce the relevant documents before the authorities. If the petitioner has not obtained the approved plan, he has no license to start the construction without proper approval and as such, we are not inclined to interfere at this stage. We are of the view that no cause of action has arisen at this stage when the petitioner has been called upon to produce the approved plan for the construction of the building.

4. In view of the above, this writ petition stands dismissed. No costs. Connected M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

The Commissioner
Pammal Municipality
Pammal
Chennai 600 075.

skv(co)
krd 15/7

W.P. No.19622 of 2015

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