

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.04.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice R. MAHADEVAN

Writ Petition No. 713 of 2004

G. Ramakant Pandey

vs.

... Petitioner

1. The Union of India
rep. by its Ministry of Environment
and Forests
6th Floor, Paryavaran Bhavan
CGO Complex, Lodhi Road
New Delhi.
2. The State of Tamil Nadu
rep. by its Secretary to Government
Department of Environment and Forests
Fort St. George, Chennai 600 009.
3. The State of Tamil Nadu
rep. by its Secretary to Government
Department of Housing and Urban
Development
Fort St. George, Chennai 600 009.
4. The Chennai Metropolitan Development
Authority
rep. by its Member Secretary
Thalamuthu Natarajan Maligai
Egmore, Chennai 600008.
5. The Tamil Nadu Coastal Zone Management
Authority, rep. by its Member Secretary
Office of the Director
Department of Environment
Government of Tamil Nadu
Panagal Building, Saidapet, Chennai-15.

6. The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai-3.
7. M/s. Rajani Hotels Ltd.
Nos. 6 & 7, Santhome High Road
Chennai 600 004.
8. M/s. Appasamy Real Estate Ltd.
T.Nagar, Chennai 600 017.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent, culminating in the planning permission bearing No.000350 dated 10.12.2002, quash the same and direct the fourth respondent to demolish all construction beyond that permissible for Special Buildings.

For Petitioner : Ms. Vijayalakshmi Rajarathinam
for M/s.T.Mohan & S.Devika

For Respondents : Mr. S.T.S. Murthi
Govt. Pleader for R2 & R3
Mr. Su. Srinivasan
Asst. Solicitor General for R1
Mr. K. Raja Srinivas for R4
Mr. M.K. Subramanian
Spl. Govt. Pleader (Forests) for R5
Mr. Sathish Parasaran for R7 & R8
No Appearance for R6.

O R D E R

(Made by The Hon'ble The Chief Justice)

Once again, an adjournment is sought in this old matter. We are not inclined to accede to the request, more so, as this is a Special Bench which has been constituted for hearing this matter.

2. The petitioner has also failed to comply with the order dated 09.03.2015, requiring him to file an affidavit. This indicates the loss of interest on the part of the petitioner.

3. We had put a query to the learned counsel for the petitioner on 09.03.2015 as to why we should not relegate the matter to the fourth respondent, which had granted the planning permission, to scrutinize the objections of the petitioner and not to take up the issue before such scrutinization, in a Public Interest Litigation filed by the petitioner.

4. We are inclined to adopt the said course of action and relegate the matter to the fourth respondent/CMDA to scrutinise the objections raised by the petitioner and take a decision on the same within a maximum period of two months of the communication of this order.

5. The writ petition accordingly stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ATR

Copies to;

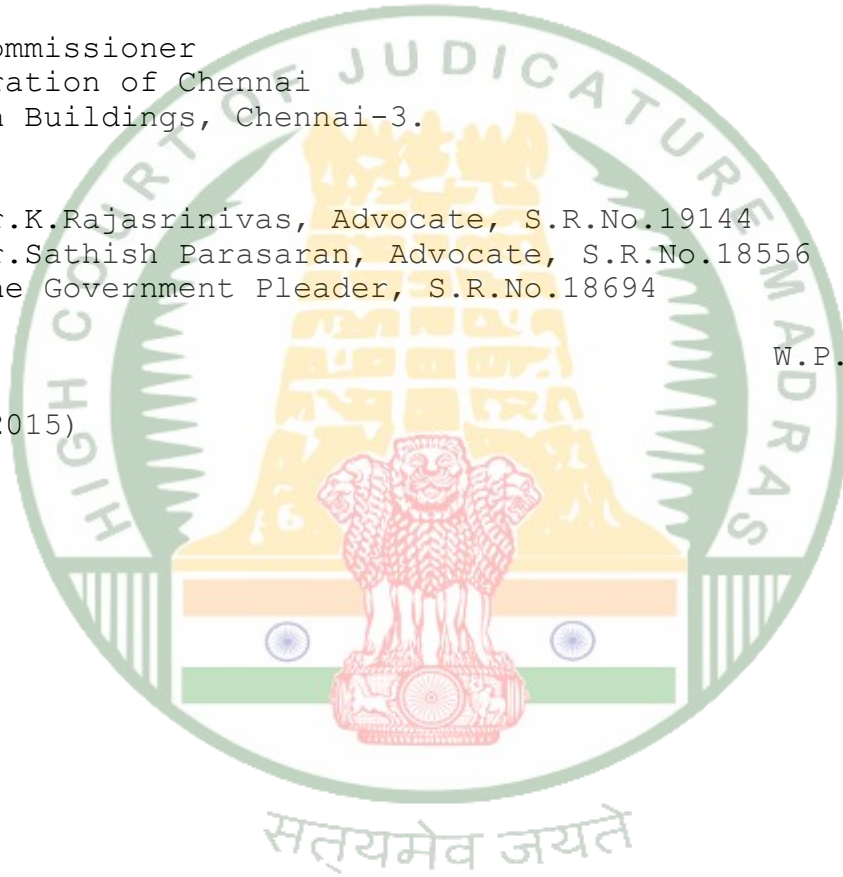
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+1cc to Mr.K.Rajasrinivas, Advocate, S.R.No.19144
+1cc to Mr.Sathish Parasaran, Advocate, S.R.No.18556
+1cc to the Government Pleader, S.R.No.18694

W.P. No. 713 of 2004

RSY(CO)
CA(13/04/2015)



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