

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15/10/2015

C O R A M

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

THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.23617 of 2015

and

M.P.No.1 of 2015

1. S. Pooja
 2. A. Sangeetha
 3. R. Swetha Kumari
- ...Petitioners

Vs

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003.
 2. The Assistant Engineer
Town Planning Approval Section
Regional Office Centre
Corporation of Chennai
No.36 Pulla Avenue
Shenoy Nagar
Chennai 600 040.
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of certiorarified mandamus calling for the records of the second respondent in his communication W.D.C.No.PPA/WDC No.6/05755/2014 dated 3/9/2014 and quash the same and direct the respondents to consider the petitioner application in Ref.No.Application No.PPA/WDCNo.6/05755/2014 dated 14/8/2014 on merits without insisting on the execution of a gift deed.

For petitioner : Mr.P.Chandrasekar
For respondents : Mr.P.H.Aravindh Pandian
AAG
assisted by
Mr.V.C.Selvasekaran

O R D E R
(delivered by SATISH K.AGNIHOTRI,J.,)

With consent, the writ petition is taken up for final disposal.

2. The petitioners have come up with this writ petition, challenging the communication dated 3 September, 2014, whereunder, it was observed as under:

"Your proposed site abutting road falls under road widening paper mills road. Kindly draft the gift deed for further proceedings."

3. Since notice was not issued to the petitioners before sending the impugned communication, we are of the view that the communication in question should be treated as a show cause notice. Liberty is given to the petitioners to file objection/representation within a period of two weeks from the date of receipt of a copy of this order. Thereafter, it is open to the Corporation to take a decision in accordance with law on its own merit and consequential action, if need be.

4. With the above direction, this writ petition is disposed of. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mvs.

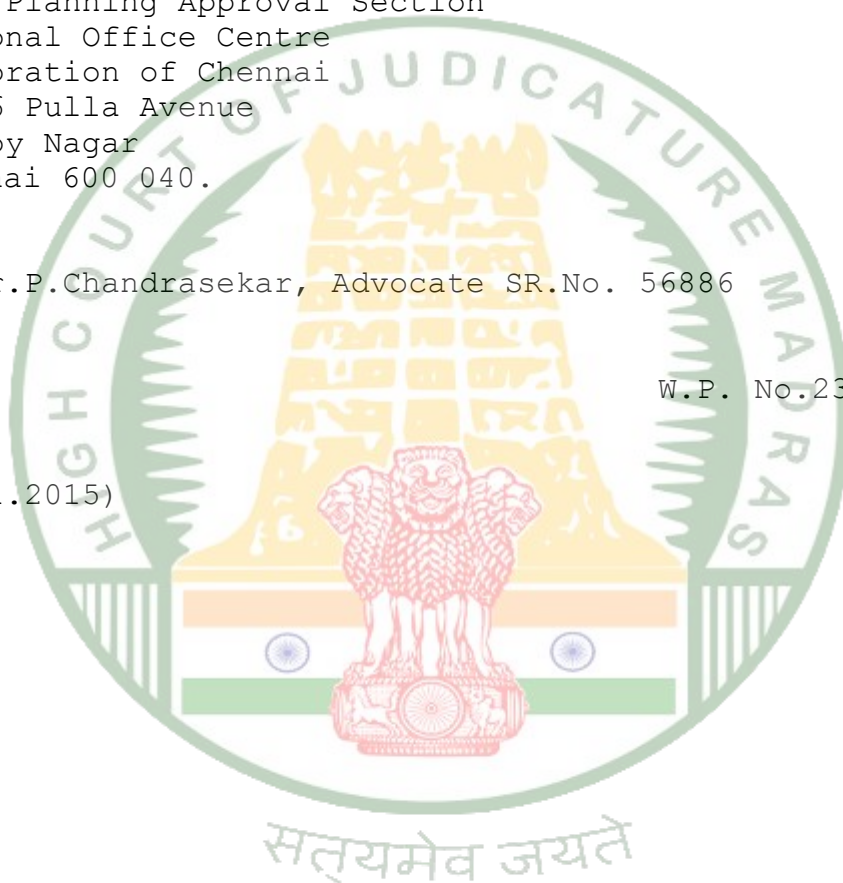
To

1. The Commissioner
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2. The Assistant Engineer
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1 CC to Mr.P.Chandrasekar, Advocate SR.No. 56886

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SKV (CO)
PSI (19.11.2015)



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