

In the High Court of Judicature at Madras

Dated : 30.11.2015

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.37931 of 2015 and MP.No.1 of 2015

M/s.KG Signature City Residential
Social Welfare Association rep.by
its Secretary Mr.T.S.Raghavendran,
KG Signature City, Chennai-95.

...Petitioner

Vs

1.The Member Secretary, Chennai
Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Chennai-8.

2.M/s.K.G.Foundations (P) Ltd.,
rep.by its Managing Director
Kishorekumar Gokaldas, Chennai-4.

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
first respondent to initiate action against the second
respondent for violations in the OSR area and car parking
contrary to the approval granted by the first respondent and for
non compliance of certain statutory requirements in the project
at KG Signature City, 200 Feet By-pass Road, Maduravoyal,
Chennai-95.

For Petitioner : Mr.S.S.Swaminathan

For Respondent-1 : Mr.K.Raja Srinivas

ORDER

Mr.K.Raja Srinivas, learned Standing Counsel accepts notice
for the first respondent. Heard the learned counsel for the
petitioner.

2. The petitioner is an association consisting of apartment
owners, who have purchased apartments in a complex promoted by
the second respondent herein. The members of the petitioner
association have certain grievances in respect of open space
reservation area and car parking. According to them, it is
contrary to the approval granted by the first respondent.

3. In my view, the dispute is purely between the petitioner and the second respondent and it is for the petitioner to work out the issues against the second respondent, for which purpose, a Writ of Mandamus cannot be issued.

4. In the course of arguments, the learned counsel for the petitioner admitted that some of the flat owners have already approached the Consumer Forum raising various claims.

5. Therefore, the writ petition is dismissed. No costs. Consequently, the above MP is also dismissed.

6. However, it is open to the petitioner to pursue the copy of the legal notice dated 30.9.2015 sent to the first respondent.

Sd/-
Asst.Registrar

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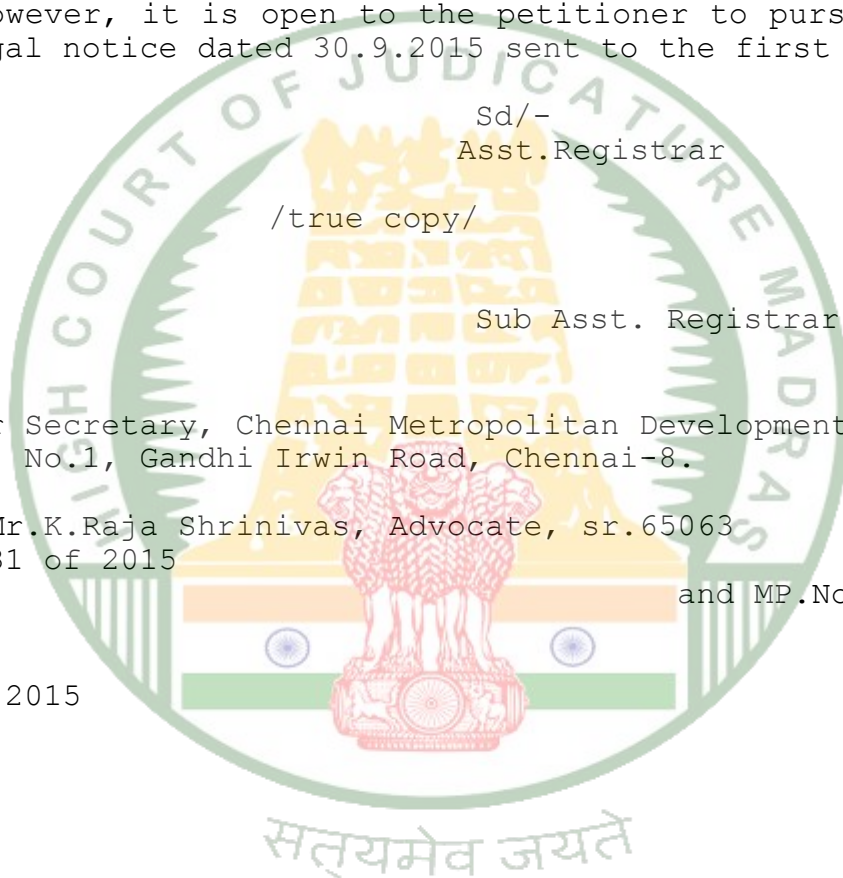
Sub Asst. Registrar

To
The Member Secretary, Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road, Chennai-8.

+1 cc to Mr.K.Raja Shrinivas, Advocate, sr.65063
WP.No.37931 of 2015

and MP.No.1 of 2015

ak co
kra 15.12.2015



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