

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.14878 OF 2016

M/s. Doveton Protestant Schools Association
Rep. By its Authorized Signatory
Mr.M.A.Azeez
No.1, Ritherdon Road,
Vepery, Chennai - 600 007.

.. Petitioner

Versus

1.The Commissioner
Corporation of Chennai
Ripon Buildings,
Chennai.

2.The Assistant Executive Engineer
Building Planning Permission
Zone-V, Regional Office North
Corporation of Chennai
No.105, Basin Bridge Road,
Royapuram, Chennai - 600 079.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, for a direction to consider the sanctioning of the Building Planning Permission Submission No.WDC No.PPA/WDC No.5/072 72/2014 dated 31.10.2014 by virtue of the petitioner's gift land abutting the road as per the demand of the respondents, which is registered as Document No.P38 of 2016 on the file of the Sub-Registrar Office, Periamet, in view of the representation dated 04.04.2016.

For Petitioner : Mr.J.Ashok
For Respondents : Mr.P.V.Selvakumar

O R D E R

Heard Mr.J.Ashok, learned counsel appearing for the petitioner and Mr.P.V.Selvakumar, learned Standing Counsel, accepting notice for the respondents.

2.The petitioner is an educational institution and they have applied for a planning permission for putting up construction for their school. The respondent Corporation insisted upon execution of a gift deed, in respect of an area in the said property, which may be required for road widening purpose in future. The petitioner has executed the gift deed and the document is pending, since there is a dispute as regards the stamp duty payable and the petitioner is now agitating the matter before the Registration Authorities. The application for planning permission is still kept pending.

3.The learned Standing Counsel for the respondents, on instructions submitted that the application submitted by the petitioner for planning permission will be processed in accordance with law.

4.In the light of the above, there will be a direction to the respondents to consider the petitioner's representation dated 04.04.2016 taking note of the gift deed executed by the petitioner, which is now retained as a pending document, in Document No.P38 of 2016 on the file of the Sub Registrar, Periamet, Chennai and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

TK

To

1.The Commissioner
Corporation of Chennai
Ripon Buildings,
Chennai.

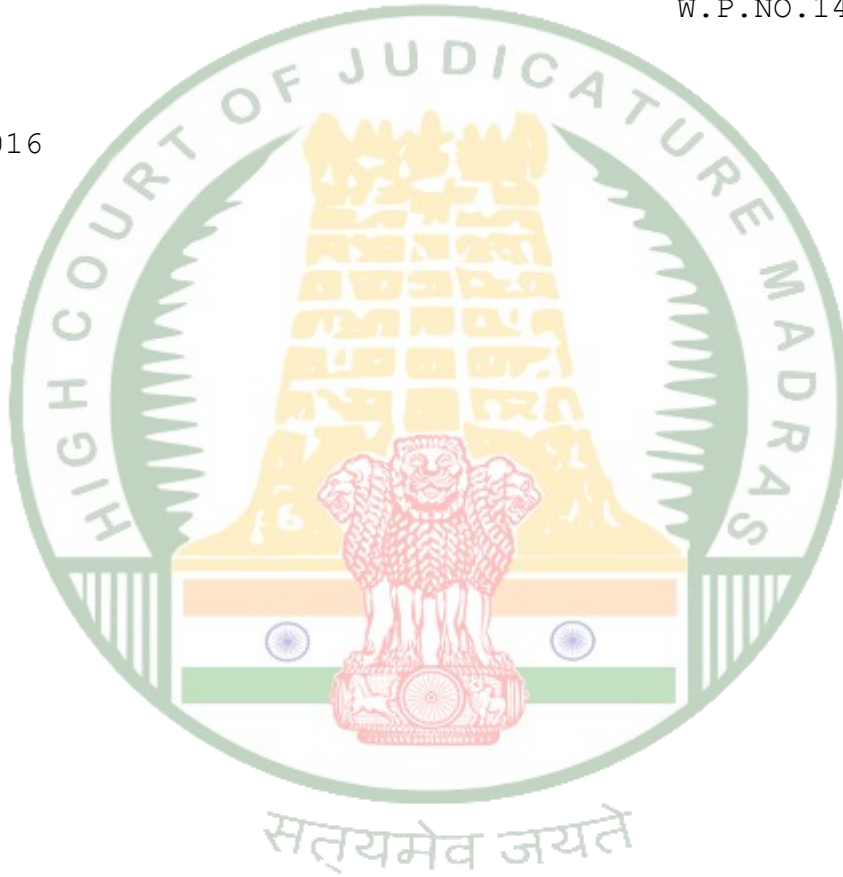
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2.The Assistant Executive Engineer
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+1 cc to Mr.P.V.Selvakumar Advocate sr.25145
+1 cc to Mr.J.Ashok Advocate sr.25003

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