

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2016

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No.2436 of 2016

1. Raja Kulasekaran
2. K. Sundara Babu .. Petitioners

Vs

1. Corporation of Chennai
Rep. by its Commissioner
Rippon Buildings
Chennai - 3
2. Corporation of Chennai
Rep by its Executive Engineer
Zonal Office
Thiruvanmiyur
Chennai - 41
3. Chennai Metropolitan Development Authority
Rep. by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai - 8
4. Thasildhar
Revenue Department
Velacherry
Chennai .. Respondents

Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 to 3 to consider and pass orders on the application vide file No.B2/6509/2015 dated 24.12.2015 for issuance of approval for demolition and reconstruction and planning persuances for construction for the premises at E113 16th Cross Street Besant Nagar Chennai-90 expeditiously in accordance with law more particularly without insisting on production of patta from the 4th respondent.

For petitioners	:	Mr. D.S. Rajasekaran
For respondents	:	Mr. P.V. Selvakumar
		for RR1 & 2
		Mr.M.Karthikeyan for R3
		Mr. R. Rajeswaran,Spl.G.P
		for R4

ORDER

The petitioners have filed this writ petition praying for a writ of mandamus directing the respondents to consider the petitioners' application, dated 24-12-2015 without insisting upon production of patta for the land.

2. The petitioners have come forward with such a relief since the property was initially a property, which was developed by Tamil Nadu Housing Board and a orientation sketch, issued by Tamil Nadu Housing Board has been produced, which is equivalent or akin to patta. The

building is in a dilapidated condition and it would take a long time for the petitioners to get patta. Therefore, the petitioners seek a direction the respondents to process their application based on the orientation sketch issued by the Tamil Nadu Housing Board.

3. The learned counsel for the petitioners has referred to the orders passed by this Court in similar issue in W.P.Nos.175 and 336 of 2011 dated 07-01-2011, W.P.No.8272 of 2009 dated 29-04-2009, W.P.No.9905 of 2008 dated 23-04-2008 and W.P.No.11295 of 2006 dated 21-04-2006, and would submit that the direction issued in all these matters has been complied with.

4. In the light of the above, there will be a direction to the third respondent to consider the petitioners' application for permission without insisting upon patta in terms of the similar direction in the aforementioned orders provided that the petitioners' application for planning permission is otherwise in order. The above direction shall be complied with within a period of eight weeks.

5. The writ petition is disposed of, accordingly. No costs.

17-02-2016

glp

T. S. SIVAGNANAM,J.
glp

To

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