

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.15533 of 2016

T.Ramasamy

[PETITIONER]

Vs

The Member Secretary
Chennai Metropolitan Development Authority
Gandhi Irwin Road, Egmore,
Chennai 600 008.

[RESPONDENT]

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of mandamus to direct the respondent to pass appropriate orders in continuation of their Letter No. REG-I/B4 (BC1)/44022/2000 dt 10.6.2002 and the amount demanded therein having been received vide Receipt No. 11435 dt 12.7.2002 in respect of the regularisation of the petitioner's building situated at Egmore-Nungambakkam Taluk, Nungambakkam Village, O.S. No. 211, R.S. No.350/2 bearing Old Door No.93, New Door No.90, Ramanaicken Street, Nungambakkam, Chennai 34, within a specified and reasonable time as may be determined by this Honourable Court.

For Petitioner : Mr.B.Divakaran

For Respondent : Mr.M.Karthikeyan
Standing Counsel

सत्यमेव जयते
O R D E R

Heard Mr.B.Divakaran, learned counsel appearing for the petitioner and Mr.M.Karthikeyan, learned Standing Counsel accepting notice for the respondent and with the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner has filed this Writ Petition, praying for issuance of a writ of mandamus to direct the respondent to pass appropriate orders in continuation of their Letter No. REG-I/B4 (BC1)/44022/2000 dt 10.6.2002 and the amount demanded therein having been received vide Receipt No. 11435 dt 12.7.2002 in respect of the regularisation of his building situated at

Egmore-Nungambakkam Taluk, Nungambakkam Village, O.S. No. 211, R.S. No.350/2 bearing Old Door No.93, New Door No.90, Ramanaicken Street, Nungambakkam, Chennai 34.

3. According to the petitioner, his mother had an order passed by the respondent dated 10.06.2002, regularising the unauthorised construction put up in the property in question. It is stated that the petitioner's mother has paid the entire fee being a sum of Rs.1,21,347/- and a copy of the receipt dated 12.07.2002, has been filed in the typed set of papers. That apart, the petitioner's mother is also said to have remitted the infrastructure charges of Rs.23,104/-. The petitioner's mother executed a deed of settlement in favour of the petitioner on 09.01.2003, registered as Document No.28 of 2003, on the file of the Joint Sub Registrar II, Thousand Lights, Chennai. The petitioner's mother passed away on 14.07.2006 and the petitioner has approached this Court by stating that he should be granted the benefit of order of regularisation.

4. Firstly, it has to be pointed out that the petitioner has not even made a representation to the respondent before approaching this Court and it is not known as to why the petitioner has not taken any steps after he became the owner of the property, pursuant to the Deed of Settlement dated 09.01.2003. Hence, at this stage, this Court is not inclined to issue any direction as sought for by the petitioner. However, liberty is granted to the petitioner to submit a representation to the respondent along with the copy of this order, setting out all his grievances and the same shall be considered by the respondent in accordance with law and necessary orders shall be passed as expeditiously as possible.

The Writ Petition is disposed of accordingly. No costs.
r p a

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

The Member Secretary
Chennai Metropolitan Development Authority
Gandhi Irwin Road, Egmore,
Chennai 600 008.

+ 1 cc to Mr.B.Divakaran, Advocate SR 26162

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