

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13825 of 2012
and M.P.No.1 of 2012

Murugasamy

..

Petitioner

Vs.

1.The Tahsildar,
Kumaran Road,
Tirupur.

2.Govindaraj .. Respondents
(R2 impleaded as per order dated 29.06.2016
made in M.P.No.2/2012)

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records on the file of the first respondent herein in Na.Ka.No.2141/2012/A2 dated 30.03.2012, quash the same and direct the respondent herein to grant renewal of the building permission to the writ petitioner.

For Petitioner : Mr.C.R.Prasanan

For Respondents: Mr.R.Govindasamy
Special Govt. Pleader for R1
Mr.B.Nedunchezhiyan for R2

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O R D E R

The petitioner prayed for issuance of a Building Licence and it was rejected on 30.03.2012 and challenging the legality of the same, he has filed the present writ petition and pending disposal of the writ petition, this Court granted an order of ad-interim stay, vide order dated 30.05.2012.

2. The learned counsel appearing for the petitioner would submit that subsequently, the respondent vide proceedings dated 18.01.2013 has extended the period of licence from 11.01.2013 to 31.03.2015. The learned counsel appearing for the petitioner would submit that for want of instructions, he is not in a position to submit before the Court as to whether

the validity of the licence period has been extended or not after 31.03.2015.

3. Mr.B.Nedunchezhiyan, learned counsel appearing for the impleading petitioner would submit that the impleaded petitioner is the owner of 10 cents in Survey No.10/2 vide registered Sale Deed dated 11.02.2009 in Doc.No.489/2009 on the file of the Sub-Registrar Office, Nallur, Tiruppur District and therefore, would contend that since he is the owner of the property, the Tahsildar cannot issue No Objection Certificate for building licence.

4. In the light of subsequent development in the form of extension of building licence, nothing survives for adjudication in this writ petition. Therefore, this Writ Petition is closed. However, the impleaded respondent is at liberty to challenge the proceedings of the respondent with regard to the grant/extension of validity of the period of building licence. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

jvm

To
The Tahsildar,
Kumaran Road,
Tirupur.

1 cc to M/s.B.Nedunchezhiyan, Advocate, sr.36806
1 cc to M/s.C.R.Prasanan, Advocate, sr.36624
1 cc to The Government Pleader, sr.36605

W.P.No.13825 of 2012

mp co
kra 21.07.2016