

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.03.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN
W.P.No.7477 of 2017
and
W.M.P.Nos.8169 & 8170 of 2017

1. Prince
2. Jeeva .. Petitioners

Vs.

1 The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the second respondent to dispose of the petitioner's revised plan dated 15.4.2016 within a time period as may be prescribed by this Hon'ble Court for the petitioners buildings situated at Plot No.3362/Z, N.8, AF Block, 8th street, 11th Main Road, Anna Nagar, Chennai - 40 in S.No.207 (part) of Koyambedu Village, Corporation of Chennai, Division 99, Zone 8.

For Petitioner : Ms.S.Harinyi

For Respondents : Mr.K.Rajasrinivas
for 1st respondent

Mr.V.C.Selvasekaran
for 2nd respondent

WEB COPY

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.K.Rajasrinivas, learned counsel takes notice for the first respondent. Mr.V.C.Selvasekaran, learned counsel takes notice for the second respondent.

2. Heard the learned counsel for the parties.

3. The petitioners have filed this writ petition seeking issuance of a Writ of Mandamus directing the second respondent to dispose of the revised plan application within a time period as may be prescribed by this Court in respect of the building situated at Plot No.3362/Z, N.8, AF Block, 8th street, 11th Main Road, Anna Nagar, Chennai - 40 in S.No.207 (part) of Koyambedu Village, Corporation of Chennai, Division 99, Zone 8.

4. The petitioners claim to be the owner. Earlier, they were issued with lock and seal notice and challenging the same, they filed special revision petition under Section 80-A of the Tamil Nadu Town and Country Planning Act. By order dated 15.04.2016, the special revision petition was disposed of by the Housing and Urban Development Department with a direction to the petitioners to approach the Chennai Corporation with revised plan as per the actual conditions of the building for regularisation. Pursuant to the direction issued the State Government, the first petitioner has submitted an application on 05.8.2016 before the Chennai Corporation along with revised plan. But no order has been passed till then. While so, respondents 1 and 2 often visit the said building and threaten to demolish the same. Hence, the petitioners have filed this writ petition seeking the relief stated supra.

5. Considering the narrow scope of the prayer made in the writ petition, we direct the second respondent to dispose of the revised plan application of the petitioners on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. Till the disposal of the revised plan application, no coercive steps shall be taken by the respondent authorities.

6. The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.Nos.8169 & 8170 of 2017 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr

To:

- 1 The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.

+1cc to Mr.S. Hariniyi, Advocate, S.R.No.18789
+1cc to Mr.K. Ragasrinivas, Advocate, S.R.No.18787

nrjk(CO)
md(11/04/2017)

W.P.No.7477 of 2017

सत्यमेव जयते

WEB COPY