

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.5849 of 2017

C.Suresh

... Petitioner

Vs.

1. The Director General
Defence Estates (Cantt. Section)
Ministry of Defence
Raksha Samapada Bhavan
Ulan Batar Marg, New Delhi-10
2. The Principal Director
Defence Estates (Land Section)
Southern Command, Kondhwa Road,
Near E.C.H.S. Polyclinic, Pune - 411 040
3. The Chief Executive Officer
St. Thomas Mount-Cum-Pallavaram
Cantonment Board, Chennai-600 016.

.... Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of Writ of Mandamus directing the first respondent to pass orders on the proposals made in No. STM/Works/1/3288 dated 26.12.2016 and that of the representation of the petitioner dated 18.01.2017 on merits and within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.C.V.Ramachandra Murthy
for R1 & R2
Mr.C.Mohan for
M/s.King & Patridge for R3

O R D E R

As the present FSI fixed at point 5 and 1 for both out side Civil area and within it respectively, a communication was sent by the Government to re-visit the bye-laws for the purpose of framing the scheme. Accordingly, the third respondent sent the

proposal to the first respondent in STM/Works/1/3288 dated 26.12.2016. As the same is still pending consideration, the petitioner has come forward to file the present writ petition.

Heard the learned counsel appearing for the petitioner, learned counsel appearing for respondents 1 and 2 and the learned counsel appearing for the third respondent.

Considering the above, a direction is issued to the first respondent to take a final decision on the proposal sent by the third respondent dated 26.12.2016 after due consultation with the Ministry of Defence, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AT

To

1. The Director General
Defence Estates (Cantt. Section)
Ministry of Defence
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St. Thomas Mount-Cum-Pallavaram
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+1cc to M/s.King & Patridge, Advocate, S.R.No.23331
+1cc to Mr.C.V.Ramachandra Murthy, Advocate, S.R.No.5849
+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.23723

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AK(CO)
CA(05/05/2017)