

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No. 23383 of 2017

G.Kumararaja

..Petitioner

.Vs.

1. The Commissioner Corporation of Chennai,
Chennai-600 003.
2. The Executive Engineer Zone – XII (Alandur)
Town Planning Approval Section, Regional Office
South, Greater Chennai Corporation,
No.115,Dr. Muthulakshmi Salai,
Adayar, Chennai-600 020.
3. The Tahsildar
Sriperumbudur Taluk,
Sriperumbudur,
Kanchipuram District.
4. The Tahsildar,
Alandur Taluk,
Alandur, Chennai – 600 016.

5. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu – Natarajan Maligai,
No.1, Gandhi Irwin Road, Egmore, Chennai – 600 008.

6. The Executive Officer,
Molulivakkam Village Panchayat,
Kanchipuram District.Respondents

(R05 & R6 are impleaded as per order
dated 20.03.2017 in WMP. No.7326 of 2017 in Wp.No.23383 of 2016)

Prayer: The writ petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the records on the file of the Executive Engineer, Town Planning Approval Section, Regional Office South, Greater Chennai Corporation, 115, Dr.Muthulakshmi Salai, Adayar, Chennai-600 020, the second respondent herein and quash the same and consequently direct the second respondent to issue site approval for S.No.142/3, Mahalakshmi Nagar, Madhananthapuram, Mugalivakkam Chennai - 600 125 within a time frame.

For Petitioner : Mr.T.Subramanian

For Respondents 1 & 5 : Mr.T.C.Gopalakrishnan

ORDER

The writ petition has been filed to issue a Writ of Certiorarified Mamdamus to quash the order of the second respondent dated 22.06.2016 and consequently direct the second respondent to issue site approval for S.No. 142/3 in Mathandapuram, Mugalivakkam, Chennai- 600 125.

2.Mr.A.V.Arun learned counsel appearing for the petitioner would submit that now the petitioner has given an application to the second respondent for sub division of plot in S.No.142/3 and it is suffice if a direction is issued to the second respondent to consider the application in the light of the G.O.M.S.No78 dated 04.05.2017.

3.Mr.T.C.Gopalakrishnan, learned counsel appearing for the first and fifth respondent would submit that if the petitioner produces all relevant documents, the application of the petitioner will be considered in accordance with law, without reference to the order impugned in this writ petition.

4. In the light of the above submissions, the writ petition is disposed of with the direction to the second respondent to consider the application of the petitioner for sub division/site approval of the property and pass appropriate orders in the light of the G.O.M.S.No:78 dated 04.05.2017 after providing due opportunity to all the necessary parties within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No costs.

09.01.2018

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Index: Yes/No
Internt: Yes/No

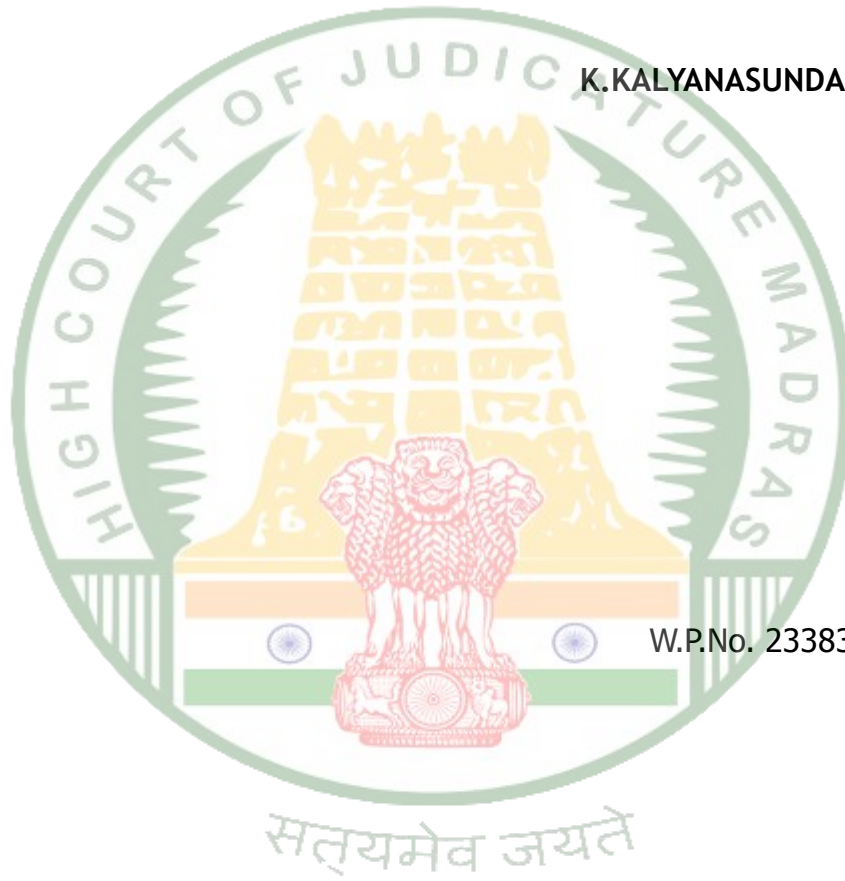
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To.

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6. The Tahsildar
Alandur Taluk,
Alandur, Chennai – 600 016.

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K.KALYANASUNDARAM, J.,

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